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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

वित्त मंत्रालय
(वित्तीय सेवाएं विभाग)

नई दिल्ली, 28 अप्रैल, 2023

का.आ. 670.—भारतीय जीवन बीमा निगम अधिनियम, 1956 (1956 का 31) की धारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, भारतीय जीवन बीमा निगम (एलआईसी) के प्रबंध निदेशक श्री सिद्धार्थ मोहन्ती (जन्म तिथि: 8.6.1963) को पद का कार्यभार ग्रहण करने की तारीख से दिनांक 29.6.2024 तक एलआईसी के अध्यक्ष के पद पर और इसके पश्चात दिनांक 7.6.2025 तक अर्थात् उनके 62 वर्ष की आयु प्राप्त करने की तारीख तक अथवा अगले आदेशों तक, जो भी पहले हो, भारतीय जीवन बीमा निगम के मुख्य कार्यकारी अधिकारी और प्रबंध निदेशक के पद पर 2,25,000 रुपए (नियत) के वेतनमान में नियुक्त करती है।

[फा. सं. ए-11011/02/2023-बीमा-I]

विनोद कुमार, अवर सचिव

MINISTRY OF FINANCE
(Department of Financial Services)

New Delhi, the 28th April, 2023

S.O. 670.— In exercise of the powers conferred by section 4 of the Life Insurance Corporation of India Act, 1956 (31 of 1956), the Central Government hereby appoints Shri Siddhartha Mohanty (DoB: 8.6.1963), Managing Director, Life Insurance Corporation of India (LIC) as Chairperson, LIC for a period with effect from the date of assumption of charge of the office till 29.6.2024, thereafter, as Chief Executive Officer and Managing Director till 7.6.2025 i.e. upto the date of his attaining the of 62 years, or until further orders, whichever is earlier in the pay scale of Rs. 2,25,000/- (fixed).

[F. No. A-11011/02/2023-Ins.I]

VINOD KUMAR, Under Secy.

नई दिल्ली, 28 अप्रैल, 2023

का.आ. 671.—बीमा विनियामक और विकास प्राधिकरण अधिनियम, 1999 (1999 का 41) की धारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, श्री बिष्णु चरण पटनायक, भूतपूर्व प्रबंध निदेशक, भारतीय जीवन बीमा निगम को पद का कार्यभार ग्रहण करने की तारीख से बासठ वर्ष की आयु प्राप्त करने तक अथवा अगले आदेशों तक, जो भी पहले हो, चार लाख रुपए प्रतिमाह (आवास और कार की सुविधा के बिना) के समेकित वेतन पैकेज पर भारतीय बीमा विनियामक और विकास प्राधिकरण में पूर्णकालिक सदस्य (जीवन) के पद पर नियुक्त करती है।

[फा. सं. आर-12011/01/2022-बीमा-I]

विनोद कुमार, अवर सचिव

New Delhi, the 28th April, 2023

S.O. 671.—In exercise of the powers conferred by section 4 of the Insurance Regulatory and Development Authority Act, 1999 (41 of 1999), the Central Government hereby appoints Shri Bishnu Charan Patnaik, Former Managing Director, Life Insurance Corporation of India as Whole-time Member (Life) in the Insurance Regulatory and Development Authority of India, on a consolidated pay package of four lakh rupees per month (without facility of house and car), with effect from the date of assumption of charge of the post till attaining the age of sixty-two years, or until further orders, whichever is earlier.

[F. No. R-12011/01/2022-Ins.I]

VINOD KUMAR, Under Secy.

नई दिल्ली, 29 अप्रैल, 2023

का. आ. 672 .— बैंककारी कंपनी (उपक्रमों का अर्जन और अंतरण) अधिनियम, 1970 की धारा 9 की उप-धारा (3) के खंड (क) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, यूनियन बैंक आफ इंडिया के कार्यपालक निदेशक, श्री रजनीश कर्नाटक (जन्म तिथि: 14.7.1970) को कार्यभार ग्रहण करने की तारीख से तीन वर्ष की अवधि के लिए अथवा अगले आदेशों तक, जो भी पहले हो, बैंक आफ इंडिया के प्रबंध निदेशक एवं मुख्य कार्यकारी अधिकारी के पद पर नियुक्त करती है।

[ईफा. सं. 4/2/2022-बीओ-I]

विजय शंकर तिवारी, अवर सचिव

New Delhi, the 29 th April, 2023

S.O. 672.— In exercise of powers conferred by the proviso to clause (a) of sub-section (3) of section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, Central Government hereby appoints Shri Rajneesh Karnatak (DoB: 14.7.1970), Executive Director, Union Bank of India as Managing

Director and Chief Executive Officer, Bank of India for a period of three years with effect from the date of assumption of office, or until further orders, whichever is earlier.

[eF. No. 4/2/2022-BO.I]

VIJAY SHANKAR TIWARI, Under Secy.

नई दिल्ली, 29 अप्रैल, 2023

का. आ. 673.— बैंककारी कंपनी (उपक्रमों का अर्जन और अंतरण) अधिनियम, 1970 की धारा 9 की उप-धारा (3) के खंड (क) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, श्री संजीव चड्ढा के स्थान पर बैंक आफ बड़ौदा के कार्यपालक निदेशक, श्री देबदत्त चंद (जन्म तिथि: 31.1.1971) को दिनांक 1.7.2023 को या उसके पश्चात कार्यभार ग्रहण करने की तारीख से तीन वर्ष की अवधि के लिए अथवा अगले आदेशों तक, जो भी पहले हो, बैंक आफ बड़ौदा के प्रबंध निदेशक एवं मुख्य कार्यकारी अधिकारी के पद पर नियुक्त करती है।

[ईफा. सं. 4/2/2022-बीओ-I]

विजय शंकर तिवारी, अवर सचिव

New Delhi, the 29th April, 2023

S.O. 673.—In exercise of powers conferred by the proviso to clause (a) of sub-section (3) of section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, Central Government hereby appoints Shri Debadatta Chand (DoB: 31.1.1971), Executive Director, Bank of Baroda as Managing Director and Chief Executive Officer, Bank of Baroda for a period of three years with effect from the date of assumption of office on or after 1.7.2023, or until further orders, whichever is earlier, *vice* Shri Sanjiv Chadha.

[eF. No. 4/2/2022-BO.I]

VIJAY SHANKAR TIWARI, Under Secy.

नई दिल्ली, 2 मई, 2023

का. आ. 674.— बीमांकक अधिनियम, 2006 (2006 का 35) की धारा 12 की उप-धारा (2) के खंड (ख) (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, वित्त मंत्रालय का प्रतिनितिधित्व करने के लिए श्री सौरभ मिश्रा के स्थान पर श्री मुकेश कुमार बंसल, संयुक्त सचिव, वित्तीय सेवाएं विभाग को तत्काल प्रभाव से और अगले आदेशों तक भारतीय बीमांकक संस्थान परिषद के सदस्य के रूप में नामित करती है।

[फा. सं. ए-11011/04/2022-बीमा-I]

विनोद कुमार, अवर सचिव

New Delhi, the 2nd May, 2023

S.O. 674.—In exercise of the powers conferred by clause (b)(i) of sub-section (2) of section 12 of the Actuaries Act, 2006 (35 of 2006), the Central Government hereby nominates Shri Mukesh Kumar Bansal, Joint Secretary, Department of Financial Services as a member of the Council of the Institute of Actuaries of India to represent the Ministry of Finance, with immediate effect and until further orders *vice* Shri Saurabh Mishra.

[F. No. A-11011/04/2022-Ins.I]

VINOD KUMAR, Under Secy.

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय
(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 28 नवम्बर, 2022

का. आ. 675.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के आदेश सं. सीबीआई-1622/सी.आर.734/पीओएल-2, दिनांक 16.09.2022 के माध्यम से जारी सम्मति से श्री कोरे, अधीक्षक, केन्द्रीय जीएसटी, जयसिंगपुर के विरुद्ध श्री अमित वी जेले, मालिक, मेसर्स स्वराज फर्टिलाइजर्स, जयसिंगपुर द्वारा भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (2018 के अधिनियम 16 द्वारा यथा संशोधित) की धारा 7 के तहत दंडनीय अपराध(धों) से संबंधित दिनांक 16.09.2022 को दर्ज कराई गई शिकायत, जिसके आधार पर दिनांक 16.09.2022 को सीबीआई मामला आरसी पुणे/2022/ए/0005 दर्ज किया गया है, से उत्पन्न अपराध(धों) का अन्वेषण करने के लिए तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा एवं/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार (दिनांक 16.09.2022 से, कार्योत्तर प्रभाव से) समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/127/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Personnel And Training)

New Delhi, the 28th November, 2022

S.O. 675.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No. CBI-1622/C.R.734/POL-2 dated 16.09.2022, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f. 16.09.2022) to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 16.09.2022 lodged by Shri Amit V Zele, Proprietor of M/s. Swaraj Fertilizers in Jaysingpur against Shri Kore, Superintendent, Central GST, Jaysingpur punishable under section 7 of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by Act 16 of 2018), based on which a CBI Case RC PUNE/2022/A/0005 has been registered on 16.09.2022 and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/127/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 28 नवम्बर, 2022

का. आ. 676.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के आदेश सं. सीबीआई 1622/सी.आर. 327/ पीओएल-2, दिनांक 19.04.2022, के माध्यम से जारी सम्मति से श्री दुष्यंत जाधव, निवासी फ्लैट सं. 509, तरंगन अपार्टमेंट, एमआईडीसी, बारामती, पुणे द्वारा दिनांक 19.04.2022 को भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (2018 के अधिनियम 16 द्वारा यथा संशोधित) की धारा 7 के तहत श्री कुलदीपक शर्मा, अधीक्षक, केन्द्रीय जीएसटी, रेंज-I, बारामती, पुणे-11 आयुक्तालय के विरुद्ध, दर्ज कराई गई शिकायत, जिसके आधार पर दिनांक 19.04.2022 को सीबीआई मामला आरसी पुणे/1222022ए0001 दर्ज किया गया है, से उत्पन्न अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों

से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार (कार्योत्तर प्रभाव अर्थात् दिनांक 19.04.2022 से) समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/122/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 28th November, 2022

S.O. 676.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No.CBI 1622/C.R. 327/POL-2 dated 19.04.2022, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f. 19.04.2022) to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 19.04.2022 lodged by Shri Dushant Jadhav, R/o Flat No.509, Tarangan Apartment, MIDC, Baramati, Pune against Shri Kuldeepak Sharma, Superintendent, Central GST, Range-1, Baramati, Pune-II Commissionerate under section 7 of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by Act 16 of 2018), based on which a CBI Case RC PUNE/1222022A0001 has been registered on 19.04.2022 and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/122/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 30 नवम्बर, 2022

का. आ. 677.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के आदेश सं. सीबीआई 1622/सी.आर. 660/पीओएल-2, दिनांक 05.08.2022 के माध्यम से जारी सम्मति से, श्री गोविंद कुमार, सुरक्षा अधिकारी, मेसर्स यूटीलिटी पॉवरटेक लि., सोलापुर के विरुद्ध श्री कय्युम उस्मानसाब बलोलखान, मालिक, मेसर्स महाराष्ट्र कॉन्ट्रैक्टर & सप्लायर, बेगमपेठ, सोलापुर जो रिलायंस इन्फ्रास्ट्रक्चर लिमिटेड और एनटीपीसी लिमिटेड, भारत सरकार का एक उपक्रम, का संयुक्त उपक्रम कंपनी है, द्वारा दिनांक 05.08.2022 को भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (2018 के अधिनियम 16 द्वारा यथा संशोधित) की धारा 7 के तहत दर्ज कराई गई शिकायत, जिसके आधार पर दिनांक 05.08.2022 को एक सीबीआई मामला आरसी1222022ए0004 दर्ज किया गया है, से उत्पन्न अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार (कार्योत्तर प्रभाव से दिनांक 05.08.2022 से) समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/125/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 30th November, 2022

S.O. 677.— In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No.CBI 1622/C.R. 660/POL-2 dated 05.08.2022, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f. 05.08.2022) to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 05.08.2022 lodged by Shri Qayyum Usmansab Balol khan, Prop. of M/s Maharashtra Contractor & Supplier, Begampeth, Solapur against Shri Govind Kumar, Safety Officer, M/s. Utility Powertech Ltd., Solapur, which is a joint venture company of Reliance Infrastructure Limited and

NTPC Limited, a Government of India Enterprises under section 7 of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by Act 16 of 2018), based on which a CBI Case RC1222022A0004 has been registered on 05.08.2022 and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/125/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 30 नवम्बर, 2022

का. आ. 678.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के आदेश सं. सीबीआई 1622/सीआर 730/पीओएल-2, दिनांक 15.09.2022, के माध्यम से जारी सम्मति से, (1) श्री संतोष सिंह, निवासी, आवास सं. एमक्यू-160, राम नगर, घुगुस, तहसील एवं जिला-चंद्रपुर, (2) श्री मनोज शर्मा एवं (3) श्री विरु शेदामे, दोनों ही नागपुर के निवासी के विरुद्ध श्री विजय सुदाम जोड़े, निवासी, आवास सं. एमक्यू 441, राम नगर, घुगुस, तहसील एवं जिला-चंद्रपुर द्वारा दिनांक 08.09.2022 को भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (वर्ष 2018 की धारा 16 द्वारा यथा संशोधित) की धारा 7ए एवं भारतीय दंड संहिता, 1860 (1860 का 45) की धारा 120बी के तहत दर्ज कराई गई शिकायत, जिसके आधार पर दिनांक 16.09.2022 को एक सीबीआई मामला, आरसी0282022ए0008 दर्ज किया गया है, से उत्पन्न अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार (कार्योत्तर प्रभाव से दिनांक 16.09.2022 से) समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/126/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 30th November, 2022

S.O. 678.— In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No.CBI 1622/C.R. 730/Pol-2 dated 15.09.2022, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f. 16.09.2022) to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 08.09.2022 lodged by Shri Vijay Sudam Zode, R/o Qr. No. MQ 441, Ram Nagar, Ghugus, Tehsil & District – Chandrapur, based on which a CBI Case RC0282022A0008 has been registered on 16.09.2022 under section 7A of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by Act 16 of 2018) and section 120B of the Indian Penal Code, 1860 (45 of 1860) against (1) Shri Santosh Singh, R/o Qr. No. MQ-160, Ram Nagar, Ghugus, Tehsil & District – Chandrapur, (2) Shri Manoj Sharma and (3) Shri ViruShedame, both residents of Nagpur, and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/126/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 30 नवम्बर, 2022

का. आ. 679.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के आदेश सं. सीबीआई 1622/सी.आर. 375/ पीओएल-2, दिनांक 28.04.2022, के माध्यम से जारी सम्मति से श्री गनी अहमद अनवर गवंडी, निवासी गली नं. 12, जयसिंहपुर, जिला कोल्हापुर द्वारा श्री महेश

नेसरीकर, अधीक्षक और श्री मिश्रा, निरीक्षक, दोनों केन्द्रीय जीएसटी, रेंज-II, जयसिंहपुर, जिला कोल्हापुर के विरुद्ध, भारतीय दंड संहिता (1860 का 45) की धारा 120बी तथा भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49)(2018 के अधिनियम 16 द्वारा यथा संशोधित) की धारा 7 के तहत दिनांक 28.04.2022 को दर्ज कराई गई शिकायत, जिसके आधार पर दिनांक 28.04.2022 को एक सीबीआई मामला आरसी पुणे/2022/ए/0002 दर्ज किया गया है, से उत्पन्न अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार (कार्योत्तर प्रभाव से दिनांक 28.04.2022 से) समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/124/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 30th November, 2022

S.O. 679.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No. CBI 1622/C.R. 375/POL-2 dated 28.04.2022, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f. 28.04.2022) to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 28.04.2022 lodged by Shri Gani Ahmed Anwar Gavandi, R/o Gali No.12, Jaisingpur, Distt. Kolhapur against Shri Mahesh Nesarikar, Superintendent and Shri Mishra, Inspector, both of Central GST, Range-II, Jaisingpur, District Kolhapur under section 120B of the Indian Penal Code (45 of 1860) and section 7 of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by Act 16 of 2018), based on which a CBI Case RC PUNE/2022/A/0002 has been registered on 28.04.2022 and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/124/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 26 दिसम्बर, 2022

का. आ. 680.—केन्द्र सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र सरकार, गृह विभाग, मुंबई के आदेश सं.- सीबीआई 1622/सी.आर.-230/पीओएल-2, दिनांक 23.03.2022 के माध्यम से जारी सम्मति से, दिनांक 22.03.2022 को श्री सुनील गोलार, बिक्री अधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, गोंदिया के विरुद्ध श्री अविनाश ए. सखरवाडे, मीरा पेट्रोल और डीजल पंप के मालिक, खादीपार, तालुका-गोरेगांव, जिला-गोंदियाद्वारा दर्ज कराई गई शिकायत जिसके आधार पर दिनांक 24.03.2022 को भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (2018 के अधिनियम 16 द्वारा यथा संशोधित) की धारा 7 के तहत सीबीआई मामला आरसी 0282022ए0005 दर्ज किया गया है, से उत्पन्न अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार (कार्योत्तर प्रभाव से दिनांक 24.03.2022 से) समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/128/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 26th December, 2022

S.O. 680.— In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No.CBI 1622/C.R. 230/POL-2 dated 23.03.2022, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f. 24.03.2022) to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 22.03.2022 lodged by Shri Avinash A. Sakharwade, Proprietor of Meera Petrol & Diesel Pump, Khadipar, Taluka-Goregaon, District – Gondia against Shri Sunil Golar, Sales Officer, Indian Oil Corporation Limited, Gondia punishable under section 7 of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by Act 16 of 2018), based on which a CBI Case RC0282022A0005 has been registered on 24.03.2022 and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/128/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 26 दिसम्बर, 2022

का. आ. 681.—केन्द्र सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र सरकार, गृह विभाग, मुंबई के आदेश सं.- सीबीआई 1622/सी.आर.-124/पीओएल-2, दिनांक 02.03.2022 के माध्यम से जारी सम्मति से, श्री जयंत लक्ष्मीकांत चौपाने पेशे से ठेकेदार तथा मैसर्स जय इलेक्ट्रिकल्स एंड इलेक्ट्रॉनिक्स के मालिक, यवतमाल, द्वारा दिनांक 22.02.2022 कोहेमंत राजंडेकर, चार्टर्ड एकाउंटेंट, मैसर्स वी आर इनामदार एंड कंपनी, अजनी चौक, नागपुर (प्राइवेट व्यक्ति बिचौलिया) के विरुद्ध श्री मुकुल पाटिल, संयुक्त आयुक्त, सीजीएसटी, नागपुर-2 की ओर से सेवाकर दायित्व मामले के निपटान हेतु मांगी गई रिश्त से संबंधित दर्ज कराई गई शिकायत से उत्पन्न अपराध(धों) जो भ्रष्टाचार निवारण अधिनियम, 1988 की धारा 7(ए) (1988 का 49) (2018 के अधिनियम 16 द्वारा यथा संशोधित) के तहत दंडनीय है तथा जिसके आधार पर दिनांक 03.03.2022 को सीबीआई मामला आरसी0282022ए0004 दर्ज किया गया है, से उत्पन्न अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्ही तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार (कार्योत्तर प्रभाव अर्थात दिनांक 03.03.2022 से) समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/129/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 26th December, 2022

S.O. 681.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No.CBI 1622/C.R. 124/Pol-2 dated 02.03.2022, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f. 03.03.2022) to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 22.02.2022 lodged by Shri Jayant Laxmikant Choupane, Proprietor of M/s Jai Electricals and Electronics, Yavatmal, a contractor by profession against Shri Hemant Rajandekar, Chartered Accountant, M/s V R Inamdar & Co., Ajni Chowk, Nagpur (Private Person Middleman) for having demanded bribe for Shri Mukul Patil, Joint Commissioner, CGST, Nagpur-2 to get the service tax liability case disposed off by Shri Mukul Patil, punishable under section 7A of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by Act 16 of 2018), based on which a CBI Case RC0282022A0004 has been registered on 03.03.2022 and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/129/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy

नई दिल्ली, 27 दिसम्बर, 2022

का. आ. 682.—केंद्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए पंजाब राज्य सरकार, गृह 4 शाखा, गृह एवं न्याय विभाग, के ज्ञापन संख्या- 07/57/2021-1एच4(3एच4)/4963, दिनांक 20.09.2021 एवं ज्ञापन संख्या- 07/57/2021-1एच4(3एच4)/4728, दिनांक 10.08.2022 के माध्यम से जारी सम्मति से श्री आनंद स्वरूप मौर्य, मुख्य प्रबंधक, पंजाब नेशनल बैंक, शाखा कार्यालय, अमृतसर कैंट, अमृतसर द्वारा (1) मैसर्स विरू मल मुल्ख राज जैन राईस मिल्स प्रा. लि., धिरेकोट रोड स्थित पंजीकृत कार्यालय, जंडियाला गुरु अमृतसर, (2) श्री नितिन जैन, एवं (3) श्री सुधीर जैन, दोनों ही श्री गुलशन जैन के पुत्र, (4) श्री गुलशन जैन, पुत्र श्री चरण दास, (5) श्रीमती नीतू जैन, पत्नी, श्री नितिन जैन, (6) श्रीमती सोफिया जैन, पत्नी, श्री सुधीर जैन, (7) श्री शमशेर सिंह, पुत्र, हरभजन सिंह, सभी जंडियाला गुरु अमृतसर के निवासी एवं (8) अज्ञात लोक सेवकों के विरुद्ध आपराधिक षड्यंत्र, धोखाधड़ी, एवं आपराधिक दुराचार करने और उसके जरिए पंजाब नेशनल बैंक को लगभग 128.74 करोड़ रुपये की सदोष हानि पहुँचाने के संबंध में दिनांक 07.08.2020 को दर्ज कराई गई शिकायत से उत्पन्न अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षडयन्त्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त पंजाब राज्य में करती है।

[फा. सं. 228/132/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 27th Decembe, 2022

S.O. 682.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Punjab, issued vide Memo No.07/57/2021-1H4(3H4)/4963 dated 20.09.2021 and Memo No. 07/57/2021-1H4(3H4)/4728 dated 10.08.2022, Home 4 Branch, Department of Home Affairs and Justice hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Punjab for investigation into the offence(s) arising out of the complaint dated 07.08.2020 lodged by Shri Anand Swaroop Maurya, Chief Manager, Punjab National Bank, Branch Office, Amritsar Cantt, Amritsar against (1) M/s Viroo Mal Mulkh Raj Jain Rice Mills Pvt. Ltd., Registered Office at Dhirekot Road, Jandiala Guru Amritsar, (2) Shri Nitin Jain and (3) Shri Sudhir Jain, both S/o Shri Gulshan Jain, (4) Shri Gulshan Jain, S/o Shri Charan Dass, (5) Smt. Neetu Jain, W/o Shri Nitin Jain, (6) Smt. Sofia Jain, W/o Shri Sudhir Jain, (7) Shri Shamsher Singh, S/o Shri Harbhajan Singh, all resident of Jandiala Guru Amritsar and (8) unknown public servants, pertaining to criminal conspiracy, cheating, criminal misconduct and thereby causing wrongful loss of approx. Rs. 128.74 crores to the Punjab National Bank and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/132/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 2 फरवरी, 2023

का. आ. 683.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के आदेश सं. सीबीआई 1622/सी.आर. 381/ पीओएल-2, दिनांक 04.05.2022, के माध्यम से जारी सम्मति से श्री प्रतापसिंह जगदाले, महाप्रबंधक, मेसर्स गार्डियन होम्स प्रा.लि., पुणे द्वारा श्री सुब्रता मैटी, अंतरिम समाधान पेशेवर, एनसीएलटी, मुंबई तथा अन्य के विरुद्ध, भारतीय दंड संहिता (1860 का 45) की धारा 120बी तथा भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (2018 के अधिनियम 16 द्वारा यथा संशोधित) की धारा 7 के तहत, दिनांक 03.05.2022 की शिकायत जिसके आधार पर दिनांक 04.05.2022 को सीबीआई

मामला आरसी पुणे/2022/ए/0003 दर्ज किया गया है, से उत्पन्न अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार (कार्योत्तर प्रभाव से दिनांक 04.05.2022 से) समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/134/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 2nd February, 2023

S.O. 683.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No.CBI 1622/C.R. 381/POL-2 dated 04.05.2022, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f. 04.05.2022) to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 03.05.2022 lodged by Shri Pratapsinh Jagdale, General Manager of M/s. Guardian Homes Pvt. Ltd., Pune against Shri Subrata Maity, Interim Resolution Professional, NCLT, Mumbai and others under section 120B of the Indian Penal Code (45 of 1860) and section 7 of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by Act 16 of 2018), based on which a CBI Case RC PUNE/2022/A/0003 has been registered on 04.05.2022 and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/134/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 2 फरवरी, 2023

का. आ. 684.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार के आदेश सं. सीबीआई-1622/सीआर-740/पोल-2, दिनांक 19.09.2022, गृह विभाग, मुंबई के माध्यम से जारी सम्मति से, मैसर्स हिंदवी टेलिकॉम प्रा. लि., वडकी, पुणे के नोडल अधिकारी श्री नितिन मानसिंह जगताप द्वारा श्री नरेश बडावथ, आईटीएस, सहायक डिवीज़नल इंजीनियर, टेलीकॉम (प्रौद्योगिकी), सलाहकार कार्यालय, एमएचएलएसए, पुणे, टेलीकॉम विभाग, संचार मंत्रालय के विरुद्ध दिनांक 17.09.2022 को दर्ज कराई गई शिकायत, जिसके आधार पर दिनांक 19.09.2022 को सीबीआई प्रकरण आरसी1222022ए0006 पंजीकृत किया गया है, से उत्पन्न अपराध(धों), जो भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (2018 के अधिनियम 16 द्वारा यथासंशोधित) की धारा 7 के तहत दण्डनीय हैं, का अन्वेषण करने तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार (दिनांक 19.09.2022 से कार्योत्तर प्रभाव से) समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/131/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 2nd February, 2023

S.O. 684.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No. CBI 1622/C.R. 740/POL-2 dated 19.09.2022, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f. 19.09.2022) to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 17.09.2022 lodged by Shri Nitin Mansingh Jagtap, Nodal Officer of M/s. Hindavi Telecom Pvt. Ltd., Vadaki, Pune against Shri Naresh Badawath, ITS, Assistant Divisional

Engineer, Telecom (Technology), O/o. Advisor, MHLA, Pune, Department of Telecom, Ministry of Communications punishable under section 7 of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by Act 16 of 2018), based on which a CBI Case RC1222022A0006 has been registered on 19.09.2022 and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/131/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 7 फरवरी, 2023

का. आ. 685.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के आदेश सं. सीबीआई 1622/सी.आर. 746/ पीओएल-2, दिनांक 22.09.2022, के माध्यम से जारी सम्मति से कथित तौर पर (1) श्री अशोक कुमार गुप्ता, प्रधान मुख्य मैकेनिकल इंजीनियर, सेंट्रल रेलवे, छत्रपति शिवाजी महाराज टर्मिनस, मुंबई, (2) मैसर्स आनंद सेल्स कॉरपोरेशन, पार्क स्ट्रीट, कोलकाता, (3) श्री आदित्य टिबरेवाल, मैसर्स आनंद सेल्स कॉरपोरेशन के पार्टनर, अज्ञात लोक सेवकों एवं अन्य द्वारा कारित अपराध(धों), जो भारतीय दंड संहिता (1860 का 45) की धारा 120बी तथा भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (2018 के अधिनियम 16 द्वारा यथा संशोधित) की धारा 7, 9, 10 और 11 के तहत दंडनीय हैं, जिसके आधार पर दिनांक 24.09.2022 को एक सीबीआई मामला आरसी 0262022 ए0015 पंजीकृत किया गया है, का अन्वेषण करने तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार (कार्योत्तर प्रभाव से दिनांक 24.09.2022 से) समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/130/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 7th February, 2023

S.O. 685.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No.CBI 1622/C.R. 746/POL-2 dated 22.09.2022, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f. 24.09.2022) to the whole State of Maharashtra for investigation into the offence(s) punishable under section 120B of the Indian Penal Code (45 of 1860) and sections 7, 9, 10 and 11 of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by Act 16 of 2018) alleged to have been committed by (1) Shri Ashok Kumar Gupta, Principal Chief Mechanical Engineer, Central Railway, Chhatrapati Shivaji Maharaj Terminus, Mumbai, (2) M/s. Anand Sales Corporation, Park Street, Kolkata, (3) Shri Aditya Tibrewal, Partner of M/s. Anand Sales Corporation, unknown public servants and others, based on which a CBI Case RC0262022A0015 has been registered on 24.09.2022 and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/130/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 7 फरवरी, 2023

का. आ. 686.—केन्द्र सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र सरकार, गृह विभाग, मुंबई के आदेश सं.- सीबीआई-2021/सीआर 465/पीओएल-2, दिनांक 13.08.2021, के माध्यम से जारी सम्मति से, दिनांक 12.08.2021 को श्री एमएल गुप्ता, डीइएन, सेंट्रल रेलवे, भुसावल और श्री संजीव राडे, कार्यालय

लिपिक डेन, सेंट्रल रेलवे, भुसावल के विरुद्ध श्री दीपक रमेशराव चंभारे पाटिल, निदेशक मैसर्स एमएनवाई कंसल्टिंग प्राइवेट लिमिटेड, मलकापुरद्वारा दर्ज कराई गई शिकायत जिसके आधार पर दिनांक 15.08.2021 भारतीय दण्ड संहिता (1860 का 45) की धारा 120बी और भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (2018 के अधिनियम 16 द्वारा यथा संशोधित) की धारा 7 के तहत सीबीआई मामला आरसी 0282021ए0003 दर्ज किया गया है, से उत्पन्न अपराध(धों) से जुड़े या उससे संबंध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार (कार्योत्तर प्रभाव से दिनांक 15.08.2021 से) समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/123/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 7th February, 2023

S.O. 686.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No.CBI 2021/CR 465/POL-2 dated 13.08.2021, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f. 15.08.2021) to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 12.08.2021 lodged by Shri Deepak Rameshrao Chambhare Patil, Director M/s MNY Consulting Pvt. Ltd., Malkapur, against Shri M.L. Gupta, DEN, Central Railway, Bhusawal and Shri Sanjeev Rade, Clerk, O/o DEN, Central Railway, Bhusawal punishable under section 120B of the Indian Penal Code, 1860 (45 of 1860) and section 7 of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by Act 16 of 2018), based on which a CBI Case RC0282021A0003 has been registered on 15.08.2021 and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/123/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 22 फरवरी, 2023

का. आ. 687.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के आदेश सं. सीबीआई-2021/सी.आर. 650/पीओएल-2, दिनांक 16.11.2021 के माध्यम से जारी सम्मति से श्री सुसांत नाहक और श्री नवीन, सेना अधिकारीगण, दक्षिणी कमान, (एओसी), पूणे व अन्य के विरुद्ध श्री वारिकुप्पाला नागराज, पुत्र श्री वी. मैसैआह, निवासी, ग्राम अडलुर, शालिगोरानम, मंडल, नल्लागोंडा, जिला तेलंगाना द्वारा भारतीय दण्ड संहिता (1860 का 45) की धारा 120बी सपठित भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (2018 के अधिनियम 16 द्वारा यथा संशोधित) की धारा 7 के तहत दिनांक 15.11.2021 को दर्ज कराई गई शिकायत, जिसके आधार पर दिनांक 16.11.2021 को सीबीआई मामला आरसी पूणे/ 2021/ए/0004 दर्ज किया गया है, से उत्पन्न अपराध(धों) का अन्वेषण करने के लिए तथा ऐसे अपराध(धों) से जुड़े या उससे संबंध किसी दुष्प्रयास, दुष्प्रेरणा एवं/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार (दिनांक 16.11.2021 से, कार्योत्तर प्रभाव से) समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/133/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 22nd February, 2023

S.O. 687.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No : CBI 2021/C.R. 650/Pol-2 dated 16.11.2021, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f. 16.11.2021) to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 15.11.2021 lodged by Shri Varikuppala Nagaraj, S/o Shri V. Maisaiah, R/o Village Adlur, Shaligoranam, Mandal, Nallagonda, Distt. Telangana against Shri Susant Nahak and Shri Naveen, Army Officials at Southern Command, (AOC), Pune and others, punishable under section 120B of the Indian Penal Code (45 of 1860) r/w section 7 of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by Act 16 of 2018), based on which a CBI Case RC PUNE/2021/A/0004 has been registered on 16.11.2021 and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/133/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 26 अप्रैल, 2023

का. आ. 688.—केन्द्र सरकार, एतद द्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मध्य प्रदेश राज्य सरकार द्वारा गृह विभाग, मंत्रालय भोपाल की अधिसूचना सं. 393/1079077/2023/बी-1/दो दिनांक 13.01.2023 के माध्यम से जारी सहमति से, वन मण्डल, धार, मध्य प्रदेश में पंजीकृत पीओआर सं. 454/20 दिनांक 17.09.2019 तथा टाइगर स्ट्राइक फोर्स, सागर, मध्य प्रदेश में पंजीकृत पीओआर सं. 28060/02 दिनांक 05.05.2017 से संबन्धित अपराध(धों) का अन्वेषण करने तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त मध्य प्रदेश राज्य में करती है।

[फा. सं. 228/12/2023-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 26th April, 2023

S.O. 688.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Madhya Pradesh, issued vide Notification No. 393/1079077/2023/B-1/Two dated 13.01.2023, Home Department, Mantralaya Bhopal, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Madhya Pradesh for investigation into the offence(s) relating to POR No. 454/20 dated 17.09.2019 registered at Van Mandal, Dhar, Madhya Pradesh and POR No. 28060/02 dated 05.05.2017 registered at Tiger Strike Force, Sagar, Madhya Pradesh and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/12/2023-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

कृषि एवं किसान कल्याण मंत्रालय
(कृषि अनुसंधान एवं शिक्षा विभाग)

नई दिल्ली, 1 मई, 2023

का. आ. 689.—केन्द्रीय सरकार, कृषि एवं किसान कल्याण मंत्रालय, कृषि अनुसंधान एवं शिक्षा विभाग, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियमावली, 1976 के नियम 10 के उप-नियम (4) के

अनुसरण में भा.कृ.अ.प. – भारतीय बीज विज्ञान संस्थान, कुशमौर, मऊ, उत्तर प्रदेश-275103 को, जिसमें 80 प्रतिशत से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, एतद्वारा अधिसूचित करती है।

[फा. सं. 13-05/2020-हिन्दी]

बलराज, अवर सचिव

New Delhi, the 1st May, 2023

S.O. 689.—In pursuance of sub-Rule (4) of Rule 10 of the Official Language (use for official purpose of the Union) Rules 1976, the Central Government, Ministry of Agriculture & Farmer Welfare, Department of Agricultural Research & Education hereby notifies the I.C.A.R - Indian Institute of Seed Science, Kushmaur, Mau, Uttar Pradesh-275103, where more than 80% of staff have acquired the working knowledge of Hindi.

[F. No. 13-05/2020-Hindi]

BALRAJ, Under Secy.

आयुष मंत्रालय

नई दिल्ली, 20 अप्रैल, 2023

का. आ. 690.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम 1976 (यथा संशोधित 1987) के नियम (10) के उप-नियम (4) के अनुकरण में, आयुष मंत्रालय के प्रशासनिक नियंत्रणाधीन निम्नलिखित कार्यालय, जिसके शतप्रतिशत अधिकारियों/कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को एतद्वारा अधिसूचित करती है:-

1. केंद्रीय यूनानी चिकित्सा अनुसंधान संस्थान, लखनऊ, उत्तर प्रदेश

[फा. सं. ई. 11011/3/2019 (रा.भा.)]

रोहतास भनखड़, निदेशक

MINISTRY OF AYUSH

New Delhi, the 20th April, 2023

S.O. 690.—In pursuance of Sub-Rule (4) of Rule 10 of the Official Language (Use for official purposes of the Union) Rules, 1976 (as amended in 1987), the Central Government hereby notifies the following office under the administrative control of the Ministry of Ayush, wherein 100% officers/employees have acquired the working knowledge of Hindi:

1. Central Institute for Research in Unani Medicine, Lucknow, Uttar Pradesh.

[F. No. E.11011/3/2019 (O.L.)]

ROHTAS BHANKHAR, Director

श्रम और रोजगार मंत्रालय

नई दिल्ली, 26 अप्रैल, 2023

का. आ. 691.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधतंत्र, संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, अहमदाबाद के पंचाट (51/2019) प्रकाशित करती है।

[सं. एल- 41011/03/2019-आई आर (बी-1)]

सलोनी, उप निदेशक

MINISTRY OF LABOUR AND EMPLOYEMENT

New Delhi, the 26th April, 2023

S.O. 691.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref.51/2019) of the Cent.Govt.Indus.Tribunal-cum-Labour Court Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Paschim Railway and their workmen.

[No. L-41011/03/2019-IR(B-I)]

SALONI, Dy. Director

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT,
AHMEDABAD****Present:** SUNIL KUMAR SINGH-I, Presiding Officer, CGIT cum Labour Court, Ahmedabad,Dated 20th December, 2022.**Reference: (CGITA) No- 51/2019**

The Dy. Chief Material Manager,
Western Railway, D Cabin, Sabarmati,
Ahmedabad.

... First Party

V/s

The Divisional Secretary,
Paschim Railway Karmachari Parishad,
28-B, Narayan Park,
B/h. Chandkheda Railway Station, Sabarmati,
Ahmedabad.

.... Second Party

Advocate for the First Party : Shri M. M. Makhija
Advocate for the Second Party : Shri R. S. Sisodia

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41011/03/2019-IR(B-I) dated 19.02.2019 referred the dispute for adjudication to the Central Government Industrial Tribunal cum Labour Court, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the action of the management, the Dy. Chief Material Manager, Western Railway, D Cabin, Sabarmati, Ahmedabad(Gujarat), not to promote Shri Ramesh Mansingh(ST) from Painter Gr.III to Gr.II in place of Shri Mahendra K. (SC) is legal, fair and justified? If not so, then what relief Shri Ramesh Mansingh(ST) is entitled to and what other directions is necessary in the matter.”

1. Today matter is called out. None responds for the First Party. Shri R. S. Sisodia, the General Secretary, Paschim Railway Karmachari Parishad, representing the second party workman filed withdrawal pursis vide Exhibit-7 and prayed for the withdrawal of the reference. The Second party workman is permitted to withdraw the reference as prayed for.

2. Thus the reference is finally disposed of as withdrawn.

3. Let two copies of Award be sent to the Appropriate Government for the needful and for publication.

SUNIL KUMAR SINGH-I, Presiding Officer

नई दिल्ली, 27 अप्रैल, 2023

का. आ. 692.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधतंत्र, संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, अहमदाबाद के पंचाट (06/2019) प्रकाशित करती है।

[सं. एल- 12025/01/2023-आई आर (बी-1)-48]

सलोनी, उप निदेशक

New Delhi, the 27th April, 2023

S.O. 692.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref.06/2019) of the Cent.Govt.Indus.Tribunal-cum-Labour Court Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen.

[No. L-12025/01/2023 -IR(B-I) -48]

SALONI, Dy. Director

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT, AHMEDABAD

Present: Sunil Kumar Singh-I, Presiding Officer, CGIT cum Labour Court, Ahmedabad,
Dated 9th January, 2023.

Industrial Dispute (CGITA) No. - 06/2019

Nootanben and Lalitaben,
C/o. 28-B, Narayan Park,
Behind Chandkheda Railway Station,
Sabarmati,
Ahmedabad-382470.

....Applicant

V/s

1. The Sr. Divisional Mechanical Engineer,
Diesel Shed, Western Railway,
Sabarmati, D-Cabin,
Ahmedabad-380019.
2. M/s. Oriental Agencies,
Rep. By Shri Ghanshyam Lekhraj Tikyani,
Proprietor, FF/1,
Shantam Green Commercial Complex,
Opp. Axis Bank, Nr. Raneshwar Temple,
Vasna Road, Vadodara-390007.

....Opponent

For the Applicant
For the Opponent

: Shri R. S. Sisodia
: None

AWARD

The Assistant Labour Commissioner (Central), Ahmedabad had issued the certificate vide No. ALC/ADI/8(24)2018 dated 20.12.2018 to the applicant for filing claim in this Tribunal.

1. The applicant filed his statement of claim Ex.1 under Section 2-A of the Industrial Disputes (Amendment) Act, 2010 on 01.04.2019 consequent upon the demand of alleged termination from service w.e.f. 08.02.2018.

2. Notices Exh. 3 & Exh. 10 were issued by the Tribunal to opponents to file reply to dispute but no reply has been filed.

3. Shri R. S. Sisodia, the President, Paschim Railway Karmachari Parishad, representing the second party workman filed withdrawal pursis vide Exh.14 and prayed for the withdrawal of the Dispute. Exh.14 is allowed and second party workmen is permitted to withdraw the dispute as prayed for.

4. The reference is disposed of as withdrawn by the second party. There is no dispute pending between the parties.

5. The award is passed as above. The award be sent for publication U/s 17(1) of Industrial Disputes Act.

SUNIL KUMAR SINGH – I, Presiding Officer

नई दिल्ली, 27 अप्रैल, 2023

का. आ. 693.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ग्रामीण बैंक ऑफ़ आर्यवर्त के प्रबंधतंत्र, संबद्ध नियोजको और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कानपुर के पंचाट (60/2019) प्रकाशित करती है।

[सं. एल- 12025/01/2023 -आई आर (बी-1)-50]

सलोनी, उप निदेशक

New Delhi, the 27th April, 2023

S.O. 693.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 60/2019) of the Cent.Govt.Indus.Tribunal-cum-Labour Court Kanpur as shown in the Annexure, in the industrial dispute between the management of Gramin Bank of Aryavart and their workmen.

[No. L-12025/01/2023-IR(B-I)-50]

SALONI, Dy. Director

ANNEXURE

BEFORE SHRI SOMA SHEKHAR JENA, PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT KANPUR

Present: SOMA SHEKHAR JENA, HJS (Retd.)

I.D. No. 60 of 2019

BETWEEN

Shri Prakash Chandra S/o Dina Nath
Through Shri Avinash Yadav
the General Secretary U.P Gramin Bank Kamgar Union,
Bajaramau, Chaubeypur, Kanpur (U.P)-209203

AND

The General Manager,
Gramin Bank of Aryavart
Head Office A-2/46, Vijay Khand,
Gomti Nagar, Lucknow-226010

AWARD

This award arises in respect of the case raised under section 2A of Industrial Disputes Act, 1947 on 30.01.2019

On 30th January 2019 the statement of claim was filed by the claimant union before this Tribunal. On behalf of O.P. management Authorized Representative appeared and filed the letter of authority and the written statement on 02.12.2020. Thereafter case was fixed for filing of rejoinder by the claimant union. But even after getting several opportunities claimant Union failed to file rejoinder before this Tribunal.

On perusal of the record it is found that though several dates were fixed for filing the rejoinder by the claimant union, none appeared on behalf of the claimant union before this Tribunal. Despite several opportunities to the claimant union for submitting rejoinder the same has not been filed. Pleadings cannot be read as substantive evidence. There is no evidence on behalf of the claimant Union that the workman was appointed on any post of the Bank after undergoing regular selection process. Under normal circumstances a casual worker engaged on daily wages is not legally entitled for absorption on regular post. Finally the case was reserved for final award for non prosecution by the claimant union.

From the aforesaid circumstances it is presumable that the claimant union is not interested in prosecuting the case further before this Tribunal.

Hence in the given circumstances the reference stands disposed of as of 'NIL' award.

Parties are left to bear their respective costs.

Date: 23.03.2023

SOMA SHEKHAR JENA, Presiding Officer

नई दिल्ली, 27 अप्रैल, 2023

का. आ. 694.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ग्रामीण बैंक ऑफ़ आर्यवर्त के प्रबंधन, संबद्ध नियोजको और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कानपुर के पंचाट (39/2019) प्रकाशित करती है।

[सं. एल. 12025/01/2023-आई आर (बी-1)-52]

सलोनी, उप निदेशक

New Delhi, the 27th April, 2023

S.O. 694.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 39/2019) of the Cent.Govt.Indus.Tribunal-cum-Labour Court Kanpur as shown in the Annexure, in the industrial dispute between the management of Gramin Bank of Aryvart and their workmen.

[No. L-12025/01/2023-IR (B-1)-52]

SALONI, Dy. Director

ANNEXURE

**BEFORE SHRI SOMA SHEKHAR JENA, PRESIDING OFFICER CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT, KANPUR**

Present: SOMA SHEKHAR JENA HJS (Retd.)

I.D. No. 39 of 2019

BETWEEN

Shri Ramesh Chandra S/o Hemant Kumar
Through Shri Avinash Yadav
the General Secretary U.P Gramin Bank Kamgar Union,
Bajaramau, Chaubeypur, Kanpur (U.P)-209203

AND

The General Manager,
Gramin Bank of Aryavart
Head Office A-2/46, Vijay Khand,
Gomti Nagar, Lucknow-226010

AWARD

This award arises in respect of the case raised under section 2A of Industrial Disputes Act, 1947 on 30.01.2019

On 30th January 2019 the statement of claim was filed by the claimant union before this Tribunal. On behalf of O.P. management Authorized Representative appeared and filed the letter of authority and the written statement on 08.12.2020. Thereafter case was fixed for filing of rejoinder by the claimant union. But even after getting several opportunities claimant Union failed to file rejoinder before this Tribunal.

On perusal of the record it is found that though several dates were fixed for filing the rejoinder by the claimant union, none appeared on behalf of the claimant union before this Tribunal. Despite several opportunities to the claimant union for submitting rejoinder the same has not been filed. Pleadings cannot be read as substantive evidence. There is no evidence on behalf of the claimant Union that the workman was appointed on any post of the Bank after undergoing regular selection process. Under normal circumstances a casual worker engaged on daily wages is not legally entitled for absorption on regular post. Finally the case was reserved for final award for non prosecution by the claimant union.

From the aforesaid circumstances it is presumable that the claimant union is not interested in prosecuting the case further before this Tribunal.

Hence in the given circumstances the reference stands disposed of as of 'NIL' award.

Parties are left to bear their respective costs.

Date: 23.03.

SOMA SHEKHAR JENA, Presiding Officer

नई दिल्ली, 27 अप्रैल, 2023

का. आ. 695.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ग्रामीण बैंक ऑफ़ आर्यवर्त के प्रबंधतंत्र, संबद्ध नियोजको और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कानपुर के पंचाट (110/2019) प्रकाशित करती है।

[सं. एल-12025/01/2023 -आई आर (बी-1) -51]

सलोनी, उप निदेशक

New Delhi, the 27th April, 2023

S.O. 695.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 110/2019) of the Cent.Govt.Indus.Tribunal-cum-Labour Court Kanpur as shown in the Annexure, in the industrial dispute between the management of Gramin Bank of Aryavart and their workmen.

[No. L-12025/01/2023- IR (B-1)-51]

SALONI, Dy. Director

ANNEXURE**BEFORE SHRI SOMA SHEKHAR JENA, PRESIDING OFFICER CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT, KANPUR****PRESENT: SOMA SHEKHAR JENA, HJS (Retd.)****I.D. No. 110 of 2019****BETWEEN**

Shri Krishna Kumar Dubey S/o Shri Ravi Dubey
Through Shri Avinash Yadav
the General Secretary U.P Gramin Bank Kamgar Union,
Bajaramau, Chaubeypur, Kanpur (U.P)-209203

AND

The General Manager,
Gramin Bank of Aryavart
Head Office A-2/46, Vijay Khand,
Gomti Nagar, Lucknow-226010

AWARD

This award arises in respect of the case raised under section 2A of Industrial Disputes Act, 1947 on 15.02.2019

On 15th February 2019 the statement of claim was filed by the claimant union before this Tribunal. On behalf of O.P. management Authorized Representative appeared and filed the letter of authority and the written statement on 04.02.2021. Thereafter case was fixed for filing of rejoinder by the claimant union. But even after getting several opportunities claimant Union failed to file rejoinder before this Tribunal.

On perusal of the record it is found that though several dates were fixed for filing the rejoinder by the claimant union, none appeared on behalf of the claimant union before this Tribunal. Despite several opportunities to the claimant union for submitting rejoinder the same has not been filed. Pleadings cannot be read as substantive evidence. There is no evidence on behalf of the claimant Union that the workman was appointed on any post of the Bank after undergoing regular selection process. Under normal circumstances a casual worker engaged on daily wages is not legally entitled for absorption on regular post. Later a memo was filed by the union for withdrawing the case and thereafter the case was reserved for final award.

From the aforesaid circumstances it is presumable that the claimant union is not interested in prosecuting the case further before this Tribunal.

Hence in the given circumstances the reference stands disposed of as of 'NIL' award.

Parties are left to bear their respective costs.

Date: 28.03.2023

SOMA SHEKHAR JENA, Presiding Officer

नई दिल्ली, 27 अप्रैल, 2023

का. आ. 696.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ग्रामीण बैंक ऑफ़ आर्यवर्त के प्रबंधतंत्र, संबद्ध नियोजको और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कानपुर के पंचाट (38/2019) प्रकाशित करती है।

[सं. एल-12025/01/2023 -आई आर (बी-1) -49]

सलोनी, उप निदेशक

New Delhi, the 27th April, 2023

S.O. 696.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 38/2019) of the Cent.Govt.Indus.Tribunal-cum-Labour Court

Kanpur as shown in the Annexure, in the industrial dispute between the management of Gramin Bank of Aryavart and their workmen.

[No. L-12025/01/2023-IR(B-I)-49]

SALONI, Dy. Director

ANNEXURE

BEFORE SHRI SOMA SHEKHAR JENA, PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT, KANPUR

Present : SOMA SHEKHAR JENA HJS (Retd.)

I.D. No. 38 of 2019

BETWEEN

Shri Dena Nath S/O Bhima Shankar
Through Shri Avinash Yadav
the General Secretary U.P Gramin Bank Kamgar Union,
Baj8aramau, Chaubeypur, Kanpur (U.P.)-209203

AND

The General Manager,
Gramin Bank of Aryavart
Head Office A-2/46, Vijay Khand,
Gomti Nagar, Lucknow-226010

AWARD

This award arises in respect of the case raised under section 2A of Industrial Disputes Act, 1947 on 30.01.2019

On 30th January 2019 the statement of claim was filed by the claimant union before this Tribunal. On behalf of O.P. management Authorized Representative appeared and filed the letter of authority and the written statement on 08.12.2020. Thereafter case was fixed for filing of rejoinder by the claimant union. But even after getting several opportunities claimant Union failed to file rejoinder before this Tribunal.

On perusal of the record it is found that though several dates were fixed for filing the rejoinder by the claimant union, none appeared on behalf of the claimant union before this Tribunal. Despite several opportunities to the claimant union for submitting rejoinder the same has not been filed. Pleadings cannot be read as substantive evidence. There is no evidence on behalf of the claimant Union that the workman was appointed on any post of the Bank after undergoing regular selection process. Under normal circumstances a casual worker engaged on daily wages is not legally entitled for absorption on regular post. Finally the case was reserved for final award for non prosecution by the claimant union.

From the aforesaid circumstances it is presumable that the claimant union is not interested in prosecuting the case further before this Tribunal.

Hence in the given circumstances the reference stands disposed of as of 'NIL' award.

Parties are left to bear their respective costs.

Date: 13.04.2023

SOMA SHEKHAR JENA, Presiding Officer CGIT, Kanpur

नई दिल्ली, 27 अप्रैल, 2023

का. आ. 697.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, आसनसोल के पंचाट (संदर्भ संख्या 40/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27.04.2023 को प्राप्त हुआ था।

[सं. एल- 22012/195/2004- आई आर (सी.एम-II)]

मणिकंदन. एन, उप निदेशक

New Delhi, the 27th April, 2023

S.O. 697.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 40/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the Management of E.C.L. and their workmen, received by the Central Government on 27/04/2023.

[No. L-22012/195/2004 – IR (CM-II)]

MANIKANDAN. N, Dy. Director

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT, ASANSOL

Present : Shri ANANDA KUMAR MUKHERJEE, Presiding Officer, C.G.I.T-cum-L.C., Asansol.

REFERENCE CASE NO. 40 OF 2005

Parties : Smt. Sia Nunia

Vs.

Management of Mithani Colliery of M/s. ECL

REPRESENTATIVES:

For the Union/Employee: Mr. R. K. Tripathi, Koyala Mazdoor Congress.
For the Management: Mr. P. K. Goswami, learned advocate.

INDUSTRY: Coal.
STATE: West Bengal.
Dated: 31.03.2023

AWARD

In exercise of powers conferred under clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour, vide its Order **No. L-22012/195/2004-IR(CM-II)** dated 13.05.2005 has been pleased to refer the following dispute between the employer, that is the Management of Mithani Colliery, BMP Group of M/s. Eastern Coalfields Limited and their employee for adjudication by this Tribunal.

SCHEDULE

“Whether the action of the Management of Mithani Colliery of M/s. ECL in terminating the services of Smt. Sia Nunia under FVR Scheme prior to confirmation of employment to her dependent is legal and justified? If not, what relief Smt. Sia Nunia is entitled? ”

1. On receiving Order **No. L-22012/195/2004-IR(CM-II)** dated 13.05.2005 from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 40 of 2005** was registered on 31.05.2005 and an order was passed issuing notice to the parties through registered post, directing them to appear and submit their written statements along with relevant documents in support of their claims and a list of witnesses. Both parties appeared before the Tribunal through their authorized representatives.

2. The case is fixed up today for substitution of the legal heirs of Smt. Sia Nunia, ex-employee of M/s. Eastern Coalfields Limited. Mr. P. K. Goswami, learned advocate for the Management is present along with Mr. Rahul Panwar, Assistant Manager (Personnel), B.M.P. Group of M/s. Eastern Coalfields Limited.

3. Mr. R. K. Tripathi, Union representative has filed an affidavit before the Tribunal stating that the ex-employee has expired and his family member are not interested to continue with the case as such the matter may be closed.

4. It is submitted by the union representative that the female employee was terminated without any opportunity been given to her son for employment according to the Female Voluntary Retirement Scheme in National Coal Wage Agreement.

5. Having considered the fact that Smt. Sia Nunia has expired and no other dependent family member has turned up to proceed with the case further, the Industrial Dispute herein cannot be considered on its merit. Accordingly, the Industrial Dispute is dismissed in the form of a **No Dispute Award**.

Hence,

ORDERED

that a **No Dispute Award** be drawn up in respect of the above Reference case. Let copies of the Award in duplicate be sent to the Ministry of Labour and Employment, Government of India, New Delhi for information and Notification.

ANANDA KUMAR MUKHERJEE, Presiding Officer

नई दिल्ली, 27 अप्रैल, 2023

का. आ. 698.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, आसनसोल के पंचाट (संदर्भ संख्या 03/2015) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27.04.2023 को प्राप्त हुआ था।

[सं. एल- 22012/28/2015 -आई आर (सी.एम-II)]

मणिकंदन. एन, उप निदेशक

New Delhi, the 27th April, 2023

S.O. 698.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 03/2015) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the Management of E.C.L. and their workmen, received by the Central Government on 27/04/2023

[No. L- 22012/28/2015 -IR(CM-II)]

MANIKANDAN. N, Dy. Director

ANNEXURE

**BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT,
ASANSOL.**

Present: Shri ANANDA KUMAR MUKHERJEE, Presiding Officer C.G.I.T-cum-L.C., Asansol.

REFERENCE CASE NO. 03 OF 2015

PARTIES: Smt. Mayana Mejhian

Vs.

Management of Barmondia Colliery of M/s. ECL

REPRESENTATIVES:

For the Union/Employee: Mr. R. K. Tripathi, General Secretary, Koyala Mazdoor Congress.

For the Management : Mrs. Swapna Basu, learned advocate.

INDUSTRY: Coal.

STATE: West Bengal.

Dated: 06.04.2023

AWARD

In exercise of powers conferred under clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour, vide its Order **No. L-22012/28/2015-IR(CM-II)** dated 18.06.2015 has been pleased to refer the following dispute between the employer, that is the Management of Barmondia Colliery of M/s. Eastern Coalfields Limited and their employee for adjudication by this Tribunal.

SCHEDULE

“Whether the claim of Smt. Mayana Mejhian, divorced daughter of Late Fulmoni Mejhian, Ex-Employee of Barmondia Colliery under Salanpur Area of M/s. ECL to get employment in die-in-harness quota is legal and or justified? If so, what details. ”

1. On receiving Order **No. L-22012/28/2015-IR(CM-II)** dated 18.06.2015 from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 03 of 2015** was registered on 01.07.2015 and an order was passed issuing notice to the parties through registered post, directing them to appear and submit their written statements along with relevant documents in support of their claims and a list of witnesses. Both parties appeared before the Tribunal through their authorized representatives.

2. The case was fixed up on 29.03.2023 for cross-examination of Smt. Mayana Mejhian. On repeated calls on 29.03.2023 at 01.00 PM none appeared for Smt. Mayana Mejhian. Smt. Swapna Basu, learned advocate appeared for the Management of M/s. Eastern Coalfields Limited. Mr. R. K. Tripathi, union representative was not found available.

3. In compliance with order dated 28.10.2022 a fresh Notice was issued to Mayana Mejhian under registered post. Since none appeared on behalf of the employee and Smt. Basu, learned advocate for the management of M/s. ECL filed a copy of Death Registration Certificate of Smt. Mayana Mejhian, it appears that the concerned person expired in the month of October, 2020. Let the same be kept with record. Under such circumstance the Industrial Dispute raised by Smt. Mayana Mejhian for employment in place of her deceased mother, Late Fulmoni Mejhian is dismissed in the form of a **No Dispute Award**.

Hence,

ORDERED

that a **No Dispute Award** be drawn up in respect of the above Reference case. Let copies of the Award in duplicate be sent to the Ministry of Labour and Employment, Government of India, New Delhi for information and Notification.

ANANDA KUMAR MUKHERJEE, Presiding Officer

नई दिल्ली, 27 अप्रैल, 2023

का. आ. 699.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधतंत्र, संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कानपुर के पंचाट (12/2019) प्रकाशित करती है।

[सं. एल- 12011/48/2018-आई आर (बी-1)]

सलोनी, उप निदेशक

New Delhi, the 27th April, 2023

S.O. 699.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref.12/2019) of the Cent.Govt.Indus.Tribunal-cum-Labour Court Kanpur as shown in the Annexure, in the industrial dispute between the management of State Bank of India and their workmen.

[No. L- 12011/48/2018-IR(B-I)]

SALONI, Dy. Director

ANNEXURE**BEFORE SHRI SOMA SHEKHAR JENA, PRESIDING OFFICER CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM- LABOUR COURT KANPUR****Present : SOMA SHEKHAR JENA HJS (Retd.)****I.D. No. 12 of 2019****Ref. No. L-12011/48/2018-IR (B-I) Dated: 04.01.2019****BETWEEN**

The General Secretary,
Uttar Pradesh Bank Worker Organization,
2, Naveen Market,
Kanpur (U.P.) - 208001

AND

The Regional Manager,
State Bank of India, (Region-III), Zonal Office,
Sanjay Place,
Agra (U.P.) - 282002

ORDER

This order is delivered with reference to the Industrial Dispute referred to this Tribunal in notification no. L-12011/48/2018 – IR (B-I) dated 04/01/2019 issued by the Government of India Ministry of Labour & Employment as stated in the Schedule.

SCHEDULE

“Whether action of the management of State Bank of India not to provide minimum wages and other facilities to the canteen workers is correct? If not what other relief they are entitled to?”

After receiving the reference the claimant Union was called upon to submit its statement of claim. The statement of claim has been filed by the claimant Union with averments which may be summarized as follows:

It is averred by the claimant union that is registered Trade Union. The claimant workman was doing job in the canteen of the State Bank of India. He over-worked from 7 AM up to 7 PM. The O.P. management was paying wages Rs. 1250/- per month which was below the minimum wages. The claimant has prayed for a direction of the Tribunal to the O.P. management for minimum wages as applicable for employee. O.P. side has raised the initial objection on the point of entertainability of the Industrial Dispute on lack of jurisdiction. After hearing the parties it is seen that this dispute as referred to this Tribunal is not maintainable.

The dispute with regard to claim for minimum wages is not entertainable before this Industrial Tribunal. In other words, the Industrial Tribunal is not vested with authority to adjudicate the disputes with regard to claims for minimum wages.

Hence this Industrial Dispute is treated as unentertainable with observation that the claimant union is at liberty to raise the Industrial dispute in the matter minimum wages and the other facilities in favour of the canteen workers before the appropriate forum as recognized in law. The reference is answered accordingly.

In view of the nature of the proceeding parties are left to bear their respective costs.

Dated: 10.02.2023

SOMA SHEKHAR JENA, Presiding Officer

नई दिल्ली, 28 अप्रैल, 2023

का. आ. 700.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार महाप्रबंधक, मेसर्स श्री रंगविलास जिनिंग, स्पिनिंग एंड वीविंग मिल्स, पीलामेडु, कोयंबटूर, के प्रबंधन के संबद्ध नियोजकों और श्री जयगोपाल, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक न्यायाधिकरण सह श्रम न्यायालय - चेन्नई के पंचाट (संदर्भ सं. 44/2017) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 27.04.2022 को प्राप्त हुआ था।

[सं. एल- 42012/22/2017 -आई आर (डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 28th April, 2023

S.O. 700.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 44/2017) of the Central Government Industrial Tribunal cum Labour Court— Chennai as shown in the Annexure, in the Industrial dispute between the employers in relation The General Manager, M/s Sri Rangavilas Ginning, Spinning and Weaving Mills, Peelamedu, Coimbatore, and Shri N. Jayagopal, Worker, which was received along with soft copy of the award by the Central Government on 27.04.2022.

[No. L-42012/22/2017 -IR(DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE THE CGIT-CUM-LABOUR COURT & EPF APPELLATE TRIBUNAL CHENNAI

ID No. 44/2017

Present: DIPTI MOHAPATRA, LL.M. Presiding Officer

Date: 18.04.2023

Sri N. Jayagopal
S/o Narayana Samy
H2, TNHB Colony
Nethajipuram
Neelikonampalayam Post
Coimbatore-641033

....1st Party/Petitioner

AND

The General Manager
M/s Sri Rangavilas Ginning, Spinning and
Weaving Mills
333, Avinashi Road, Peelamedu
Coimbatore-641004

2nd Party/Respondent

Appearance:

For the 1 st Party/Petitioner	:	Advocates, M/s V. Ajoy Khose
For the 2 nd Party/Respondent	:	Advocates, M/s T.S Gopalan & Co.

AWARD

The Central Government, Ministry of Labour & Employment vide its Order No. L-42012/22/2017-IR(DU) dtd. 09.05.2017 referred the following Industrial Dispute to this Tribunal for adjudication.

The schedule mentioned in that order is:

“Whether the action of the management of Sri Rangavilas Ginning, Spinning & Weaving Mills, Coimbatore in dismissing Sri N. Jayagopal, T.No. 05-9022, an Ex-Fitter/Helper from service w.e.f. 23.08.2011 is legal and justified, if not, to what extent the workman is entitled to relief?”

2. On receipt of the above reference from the appropriate Government, the same is registered as ID No. 44/2017. Due notices were issued to both sides for their appearance on 06.06.2017. The Petitioner did not appear. The case was accordingly adjourned to 23.06.2017 for appearance of the Petitioner and Claim Statement. None appeared on behalf of the petitioner nor the Claim Statement was filed in any manner till 18.01.2019 intervening 12 adjournments for the same purpose. On 18.01.2019 since no Claim Statement nor the Petitioner appeared, the case was adjourned to 12.02.2019. On that day, both the parties were present but the Petitioner sought for time resulting adjournments to 18.03.2019 and 01.04.2019. The Petitioner filed Claim Statement on 01.04.2019. Accordingly, the Respondent was directed to file Counter Statement. On 11.06.2019, the Respondent filed Counter Statement. Thereafter, the Petitioner was directed to file Affidavit-Evidence. The case was adjourned to several dates till 06.03.2020 intervening 6 dates. The Petitioner preferred not to file the Affidavit-Evidence. The case was further adjourned to 6 more dates till 30.09.2021. However, considering the situation prevailed for the same period owing to Pandemic COVID-19, the Tribunal suo-moto adjourned the case for the same purpose to 03.11.2021 and 15.12.2021 for the same purpose. Since the Petitioner did not file Affidavit-Evidence, the case was further adjourned to 19.01.2022 when the Counsel for the Petitioner filed Time Petition. On the basis of the Petition, the case was again adjourned to 02.03.2022. The Petitioner did not turn up resulting further 7 adjournments till 13.02.2023. On that day, the Counsel for both parties were present. No Affidavit-Evidence was filed but the Petitioner sought for time. At the outset, the Counsel for the Respondent who almost appeared on each date of posting vehemently raised objection to re-schedule the case to any other date but to dispose the case in accordance to law. It is pertinent to mention that the Order Sheets reveal that the Petitioner was directed on several occasions preceding to the Order Sheet dtd. 13.02.2023 to file Affidavit-Evidence as last chance, the Petitioner did not turn up. The Petition for time was rejected in view of the above discussed facts. The case was ultimately reserved for final order. It would not be out of place to mention that till the date the Petitioner failed to file the Affidavit-Evidence.

3. It appears the Petitioner is not interested to proceed with the case and deliberately withheld to adduce evidence in support of his case despite of sufficient opportunities were made available to him. The case is simply dragged to an extent approaching 6 years. In such circumstance, the Tribunal is not in a position to adjudicate the dispute as referred by the Appropriate Government vide dtd. 09.05.2017. In the circumstance, it is held proper to dispose of the case without wasting the valuable time of the Tribunal.

In view of the discussion held in preceding paragraph, it deems there exists no dispute for adjudication as referred by the Appropriate Government.

In the result the ID case stands dismissed.

An Award is passed accordingly.

DIPTI MOHAPATRA, Presiding Officer

नई दिल्ली, 28 अप्रैल, 2023

का. आ. 701.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कार्यकारी निदेशक, राष्ट्रीय कपड़ा निगम लिमिटेड, कोयम्बटूर, के प्रबंधन के संबद्ध नियोजकों और महासचिव, कोयम्बटूर जिला मिल मजदूर संघ (सीटू), अनूपरपलायम, कटूर, कोयम्बटूर; महासचिव, कोवई मंडला पंचलाई थोझिलालार संगम (एनडीएलएफ), विलनकुरिची, कोयम्बटूर; महासचिव, देसिया पंचलाई तोझिलालार संगम (इंटक), रामनाथपुरम, कोयम्बटूर; महासचिव, कोयम्बटूर जिला अन्ना पंचलाई थोझिलालार संगम (एपीटी), कोयम्बटूर; महासचिव, कोवई जिला पंचलाई थोझिलालार संगम (एचएमएस), सिंगनलूर, कोयम्बटूर; महासचिव, कोवई जिला मिल थोझिलालार संगम (एटक), कटूर, कोयम्बटूर; महासचिव, कोयम्बटूर और पेरियार जिला द्रविड पंचलाई तोझिलालार मुनेत्र संगम (एमएलएफ), कोयम्बटूर; महासचिव, डॉ. अम्बेडकर देसिया पंचलाई थोझिलालार संगम, अहिल भीम कॉटेज, वडवल्ली कोयम्बटूर, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक न्यायाधिकरण सह श्रम न्यायालय - चेन्नई के पंचाट (संदर्भ संख्या 32/2020) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 27.04.2022 को प्राप्त हुआ था।

[सं. एल- 42011/20/2020-आई आर (डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 28th April, 2023

S.O. 701.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 32/2020) of the Central Government Industrial Tribunal cum Labour Court—Chennai as shown in the Annexure, in the Industrial dispute between the employers in relation The Executive Director, National Textiles Corporation Ltd., Coimbatore, and The General Secretary, Coimbatore District Mill Labours Union (CITU), Anupparpalayam, Kattoor, Coimbatore; The General Secretary, Kovai Mandala Panchalai Thozhilalar Sangam (NDLF), Vilankurichi, Coimbatore; The General Secretary, Desiya Panchalai Thozhilalar Sangam (INTUC), Ramanathapuram Coimbatore; The General Secretary, Coimbatore District Anna Panchalai Thozhilalar Sangam (APT), Coimbatore ; The General Secretary, Kovai Zilla Panchalai Thozhilalar Sangam (HMS), Singanallur Coimbatore ; The General Secretary, Kovai Zilla Mill Thozhilalar Sangam (AITUC), Kattoor Coimbatore; The General Secretary, Coimbatore and Periyar District Dravida Panchalai Thozhilalar Munnetra Sangam (MLF), Coimbatore ; The General Secretary, Dr. Ambedkar Desiya Panchalai Thozhilalar Sangam, Ahil Bheem Cottage, Vadavalli, Coimbatore, which was received along with soft copy of the award by the Central Government on 27.04.2022.

[No. L-42011/20/2020 -IR(DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE THE CGIT-CUM-LABOUR COURT & EPF APPELLATE TRIBUNAL CHENNAI

ID No. 32/2020

Present: DIPTI MOHAPATRA, LL.M. Presiding Officer

Date: 18.04.2023

BETWEEN

1. The General Secretary
Coimbatore District Mill Labours Union (CITU)
Anupparpalayam, Kattoor
Coimbatore-641009
2. The General Secretary
Kovai Mandala Panchalai Thozhilalar Sangam
(NDLF)
No. 32, Perumal Kovil Veedhi
Vilankurichi
Coimbatore-641035
3. The General Secretary
Desiya Panchalai Thozhilalar Sangam (INTUC)
1848, Trichy Road
Ramanathapuram
Coimbatore -641045
4. The General Secretary
Coimbatore District Anna Panchalai Thozhilalar
Sangam (APT)
No. 108, Grey Town
Coimbatore-641018
5. The General Secretary
Kovai Zilla Panchalai Thozhilalar Sangam (HMS)
2212, Trichy Road, Singanallur
Coimbatore-641005
6. The General Secretary
Kovai Zilla Mill Thozhilalar Sangam (AITUC)
99, Rangan Street, Kattoor
Coimbatore-641009

7. The General Secretary
Coimbatore and Periyar District Dravida
Panchalai Thozhilalar Munnetra Sangam (MLF)
69, Tatabad Street No. 3,
Coimbatore-641012

8. The General Secretary
Dr. Ambedkar Desiya Panchalai Thozhilalar Sangam
Ahil Bheem Cottage, No. 5, Vallalar Nagar
Vadavalli
Coimbatore-641041

....First Party Petitioner Unions

Vs.

The Executive Director
National Textiles Corporation Ltd.
NTC House, P.B. No. 2409
36-B, Somasundaram Mills Road
Coimbatore-641009

....2nd Party/Respondent

Appearance:

For the 1 st Party/Petitioners	:	Advocates, M/s V. Manogar, R. Vignesh
For the 2 nd Party/Respondent	:	Advocates, M/s T.S. Gopalan & Co.

AWARD

The Central Government, Ministry of Labour & Employment vide its Order No.42011/20/2020-IR(DU) dtd. 24.08.2020 referred the following Industrial Dispute to this Tribunal for adjudication.

The schedule mentioned in that order is:

“Whether the demand of the Unions to the management of National Textile Corporation Limited, Coimbatore for seeking increase of wages on par with apprentice as declared by the State Government of Tamil Nadu is proper, legal and justified? If so, to what relief the concerned workers are entitled and what other directions, if any, are necessary in the matter?”

2. On receipt of the above reference from the Appropriate Government, the dispute is registered as ID No. 32/2020. Due notices were issued to the General Secretaries of all Eight numbers of Unions as they raised a common dispute under the Act for their appearance and Claim Statement. The Respondent was also issued with notice fixing the case to 15.12.2020. The Petitioner did not turn up resulting further 4 adjournments till 15.07.2021 for the same purpose. The First Party Petitioner Unions did not turn up. However, considering the prevailed hard situation of the Pandemic COVID-19, the case was not disposed of at once but dealt leniently affording further opportunities to the First Party Unions for appearance. The case was accordingly listed to 3 more dates in the year 2021. None of the Petitioner Unions appeared resulting further adjournment to 18.01.2022. None of the Petitioner Unions appeared or filed their Claim Statement but the Respondent was represented through Counsel. For the interest of justice, the Tribunal suo-moto adjourned the case to 01.03.2022, 13.04.2022 and 01.06.2022. The Order Sheet discloses that despite of liberal opportunities though made available to all the 8 Petitioner Unions, none of them appeared or preferred to file Claim Statement in common or separately. However, for the interest of justice, the case was again re-scheduled to 28.07.2022 and adjourned to 5 more dates including 01.03.2023. None appeared on behalf of the Petitioner Unions nor the Claim Statement was filed in any manner either by Post or Courier on 01.03.2023. This part of non-cooperation and non-participation of First Party Petitioner Unions constrained the Tribunal to pass order to reserve the case for final order. It would not be out of place to mention that even till the date, this Tribunal has not received the Claim Statement or any Petition from any of the First Party Petitioner Unions.

3. It appears even if for the interest of justice the Tribunal suo-moto afforded sufficient opportunities to the Petitioner, there was no progress held in the proceeding due to the non-cooperation and non-participation of the First Party Unions. On the other hand, the case is simply dragged approximately for a period of two and half years without any fruitful result. In the circumstance, the Tribunal is constrained not to repost the proceeding to any other date for the same purpose as much as it deems the First Party Petitioner Unions has no interest to proceed with the case. Thus, the case is liable for dismissal in accordance to Law.

In view of the discussion held in preceding paragraph, it deems there exists no dispute for adjudication as referred by the Appropriate Government. In the result the reference is answered against the Petitioner Unions

The ID case stands dismissed

An Award is passed accordingly.

DIPTI MOHAPATRA, Presiding Officer

नई दिल्ली, 28 अप्रैल, 2023

का. आ. 702.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ग्रामीण बैंक ऑफ़ आर्यवर्त के प्रबंधतंत्र, संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कानपुर के पंचाट (120/2019) प्रकाशित करती है।

[सं. एल- 12025/01/2023 -आई आर (बी-1)-53]

सलोनी, उप निदेशक

New Delhi, the 28th April, 2023

S.O. 702.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 120/2019) of the Cent.Govt.Indus.Tribunal-cum-Labour Court Kanpur as shown in the Annexure, in the industrial dispute between the management of Gramin Bank of Aryavart and their workmen.

[No. L-12025/01/2023 -IR(B-I)-53]

SALONI, Dy. Director

ANNEXURE

BEFORE SHRI SOMA SHEKHAR JENA, PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT KANPUR

Present: SOMA SHEKHAR JENA HJS (Retd.)

I.D. No. 120 of 2019

BETWEEN

Shri Ram Kishore S/o Shri Daya Deen
Through Shri Avinash Yadav
the General Secretary U.P Gramin Bank Kamgar Union,
Bajaramau, Chaubeypur, Kanpur (U.P)-209203

AND

The General Manager,
Gramin Bank of Aryavart
Head Office A-2/46, Vijay Khand,
Gomti Nagar, Lucknow-226010

AWARD

This award arises in respect of the case raised under section 2A of Industrial Disputes Act, 1947 on 15.02.2019

On 15th February 2019 the statement of claim was filed by the claimant union before this Tribunal. On behalf of O.P. management Authorized Representative appeared and filed the letter of authority and the written statement on 04.02.2021. Thereafter case was fixed for filing of rejoinder by the claimant union. But even after getting several opportunities claimant Union failed to file rejoinder before this Tribunal.

On perusal of the record it is found that though several dates were fixed for filing the rejoinder by the claimant union, none appeared on behalf of the claimant union before this Tribunal. Despite several opportunities to the claimant union for submitting rejoinder the same has not been filed. Pleadings cannot be read as substantive evidence. There is no evidence on behalf of the claimant Union that the workman was appointed on any post of the Bank after undergoing regular selection process. Under normal circumstances a casual worker engaged on daily wages is not legally entitled for absorption on regular post. Later a memo was filed by the union for withdrawing the case and thereafter the case was reserved for final award.

From the aforesaid circumstances it is presumable that the claimant union is not interested in prosecuting the case further before this Tribunal.

Hence in the given circumstances the reference stands disposed of as of 'NIL' award.

Parties are left to bear their respective costs.

Date: 28.03.2023

SOMA SHEKHAR JENA, Presiding Officer

नई दिल्ली, 28 अप्रैल, 2023

का. आ. 703.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजको और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, आसनसोल के पंचाट (एल.सी. आवेदन 02/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28.04.2023 को प्राप्त हुआ था।

[सं. एल-22013/01/2023 -आई आर (सी.एम-II)]

मणिकंदन. एन्, उप निदेशक

New Delhi, the 28th April, 2023

S.O. 703.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (L.C.Application No. 02/2008) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the Management of E.C.L. and their workmen, received by the Central Government on 28/04/2023

[No. L-22013/01/2023 -IR(CM-II)]

MANIKANDAN. N, Dy. Director

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT, ASANSOL.

PRESENT: Shri ANANDA KUMAR MUKHERJEE, Presiding Officer, C.G.I.T-cum-L.C., Asansol.

L. C. APPLICATION NO. 02 OF 2008

PARTIES: Gora Chand Pati.

Vs.

Management of J. K. Nagar Colliery.

REPRESENTATIVES:

For the Union/Workmen: Mr. S. K. Pandey, Gen. Secretary, Colliery Mazdoor Congress.

For the Management: Mr. P. K. Das, learned advocate.

INDUSTRY: Coal.

STATE: West Bengal.

Dated: 12.04.2023

AWARD

1. Instant application under section 33 C (2) of the Industrial Dispute Act, 1947 was filed by Gora Chand Pati, ex-employee of M/s. Eastern Coalfields Limited, praying for payment of dues of Rs. 1,94,739 in respect of implementation of CGIT Award No. 42 of 1999.

2. The case was fixed up on 05.04.2023 for hearing of argument. Mr. P. K. Das, learned advocate appeared for the Management of M/s. Eastern Coalfields Limited. At 01:15 PM none appeared for Gora Chand Pati, the aggrieved workman. The record reveals that in the instant application u/s 33 C (2) the petitioner claimed for an amount of Rs. 1,94,739/- (Rupees one lakh ninety-four thousand seven hundred and thirty-nine only) in respect of implementation of CGIT Award No. 42 of 1999. The Award, if any, is executed through the Deputy Chief Labour Commissioner (Central), Asansol under Section 29 of Industrial Dispute Act, 1947. Regarding execution of Award, the petitioner should take steps before the appropriate forum and not before CGIT. Application is therefore dismissed.

Hence,

ORDERED

Let an Award be passed in view of the above discussion. Copies of the Award in duplicate be sent to the Ministry of Labour, Govt. of India, New Delhi under section 33 C (4) of Industrial Dispute Act, 1947 for information and Notification.

ANANDA KUMAR MUKHERJEE, Presiding Officer

नई दिल्ली, 28 अप्रैल, 2023

का. आ. 704.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजको और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, आसनसोल के पंचाट (संदर्भ संख्या 25/2019) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28.04.2023 को प्राप्त हुआ था।

[सं. एल- 22012/21/2019-आई आर (सी.एम-II)]

मणिकंदन. एन, उप निदेशक

New Delhi, the 28th April, 2023

S.O. 704.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 25/2019) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the Management of E.C.L. and their workmen, received by the Central Government on 28/04/2023

[No. L- 22012/21/2019 -IR(CM-II)]

MANIKANDAN. N, Dy. Director

ANNEXURE

**BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT,
ASANSOL.**

Present: Shri ANANDA KUMAR MUKHERJEE, Presiding Officer, C.G.I.T-cum-L.C., Asansol.

REFERENCE CASE NO. 25 OF 2019

PARTIES: Banwari Bhuia

Vs.

Management of Naba Kajora Colliery of M/s. ECL

REPRESENTATIVES:

For the Union/Workman: General Secretary, United Koyala Mazdoor Sangha (UTUC).

For the Management: Mr. P. K. Das, learned advocate.

INDUSTRY: Coal.

STATE: West Bengal.

Dated: 12.04.2023

AWARD

In exercise of powers conferred under clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour, vide its Order **No. L-22012/21/2019-IR(CM-II)** dated 01.04.2019 has been pleased to refer the following dispute between the employer, that is the Management of Naba Kajora Colliery, Kajora Area of M/s. Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

SCHEDULE

“Whether the action of General Manager, Naba Kajora Colliery (Kajora Area) of M/s. M/s. Eastern Coalfields Ltd. in dismissing services of Sri Banwari Bhuia, Ex-UG Loader, Naba Kajora Colliery of Eastern Coalfields Ltd. is justified or not? If not, to what relief Sri Banwari Bhuia, Ex-UG Loader is entitled for? ”

1. On receiving Order **No. L-22012/21/2019-IR(CM-II)** dated 01.04.2019 from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 25 of 2019** was registered on 09.04.2019 and an order was passed issuing notice to the parties through registered post, directing them to appear and submit their written statements along with relevant documents in support of their claims and a list of witnesses. Both parties appeared before the Tribunal through their authorized representatives.

2. The Reference case is fixed up today for showing cause by Banwari Bhuia, the dismissed workman as to why no step was taken for the last three years and why this case will not be dismissed in form of a no dispute award. Mr. P. K. Das, learned advocate for the Management of M/s. Eastern Coalfields Limited is present. It is 01:40 PM now. On call, Banwari Bhuia, the workman as well as the General Secretary of United Koyala Mazdoor Sangha (UTUC) are found absent.

3. Since the workman has not appeared after several opportunities given to him, it appears to me that workman is not interested to proceed with this Industrial Dispute. Under such circumstances, this Industrial Dispute is disposed of in the form of a **No Dispute Award**.

Hence,

ORDERED

that a **No Dispute Award** be drawn up in respect of the above Reference. Let copies of the Award in duplicate be sent to the Ministry of Labour and Employment, Government of India, New Delhi for information and Notification.

ANANDA KUMAR MUKHERJEE, Presiding Officer

नई दिल्ली, 28 अप्रैल, 2023

का. आ. 705.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, आसनसोल के पंचाट (संदर्भ संख्या 08/2021) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28.04.2023 को प्राप्त हुआ था।

[सं. एल-22012/4/2021-आई आर (सी.एम-II)]

मणिकंदन. एन, उप निदेशक

New Delhi, the 28th April, 2023

S.O. 705.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 08/2021) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the Management of E.C.L. and their workmen, received by the Central Government on 28/04/2023

[No. L-22012/4/2021 -IR(CM-II)]

MANIKANDAN. N, Dy. Director

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT, ASANSOL.

Present: Shri ANANDA KUMAR MUKHERJEE, Presiding Officer, C.G.I.T-cum-L.C., Asansol.

REFERENCE CASE NO. 08 OF 2021

PARTIES: Ranjit Prasad

Vs.

Management of Chinakuri Mine-I of M/s. ECL and another.

REPRESENTATIVES:

For the Union/Workman: None.

For the Management: Mr. P. K. Das, learned advocate.

INDUSTRY: Coal.

STATE: West Bengal.

Dated: 10.04.2023

AWARD

In exercise of powers conferred under clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour, vide its Order **No. L-22012/4/2021-IR(CM-II)** dated 09.06.2021 has been pleased to refer the following dispute between the employer, that is the Management of Chinakuri Mine-I of M/s. Eastern Coalfields Limited and another and their workman for adjudication by this Tribunal.

SCHEDULE

“Whether the claim of the Union- Colliery Mazdoor Congress that the management of M/s. Eastern Coalfields Ltd. has wrongfully denied the payment of 43 days’ sick wages and payment of Spl. Leave for one year as per NCWS to Shri Ranjit Prasad, ex-employee at Chinakuri Mine-I, who superannuated w.e.f. 30.06.2015, is legal and justified. If yes, what relief is Shri Ranjit Prasad, ex-employee entitled to. ”

1. On receiving Order **No. L-22012/4/2021-IR(CM-II)** dated 09.06.2021 from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 08 of 2021** was registered on 18.06.2021 and an order was passed issuing notice to the parties through registered post, directing them to appear and submit their written statements along with relevant documents in support of their claims and a list of witnesses.

2. Mr. P. K. Das, learned advocate for the Management of M/s. Eastern Coalfields Limited is present. On repeated calls none appeared for the aggrieved workman, Ranjit Prasad, Ex-employee of Chinakuri Mine-I. No written statement has been filed after issuance of Notice.

3. It appears from the record that after passing of one year and 10 months, the workman and concerned union have taken no step. No written statement has been filed by any party. Under such facts and circumstances, I do not find any reason to proceed further with this case. The Reference case is accordingly disposed of in the form of a **No Dispute Award**.

Hence,

ORDERED

that a **No Dispute Award** be drawn up in respect of the above Reference. Let copies of the Award in duplicate be sent to the Ministry of Labour and Employment, Government of India, New Delhi for information and Notification.

ANANDA KUMAR MUKHERJEE, Presiding Officer

नई दिल्ली, 28 अप्रैल, 2023

का. आ. 706.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण—सह-श्रम न्यायालय, आसनसोल के पंचाट (शिकायत संख्या 03/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28.04.2023 को प्राप्त हुआ था।

[सं. एल-22013/01/2023-आई आर (सी.एम-II)]
मणिकंदन. एन्, उप निदेशक

New Delhi, the 28th April, 2023

S.O. 706.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Complaint No. 03/1999) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the Management of E.C.L. and their workmen, received by the Central Government on 28/04/2023

[No. L-22013/01/2023 -IR(CM-II)]

MANIKANDAN. N, Dy. Director

ANNEXURE

**BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT,
ASANSOL.**

Present: Shri ANANDA KUMAR MUKHERJEE, Presiding Officer, C.G.I.T-cum-L.C., Asansol.

COMPLAINT NO. 03 OF 1999

PARTIES: Nand Lal Dubey

Vs.

- (1) Personnel Manager, C.M.P.D.I.L., Ranchi and
(2) Regional Director, R.I.-1, C.M.P.D.I.L., Asansol.

REPRESENTATIVES:

For the Union/Workmen: Mr. S. K. Pandey, Union representative.

For the Management: Mr. P. K. Das, learned advocate.

INDUSTRY: Coal.
STATE: West Bengal.
Dated: 10.04.2023

AWARD

1. Instant Complaint under Section 33-A of the Industrial Dispute Act, 1947 was filed by the complainant, Nand Lal Dubey against (1) the Personnel Manager, CMPDIL, Ranchi and (2) the Regional Director, R.I.-1, CMPDIL, Asansol., praying for passing order against his transfer order which is an example of unfair labour practice and a violation of Section 33(1) of Industrial Dispute Act, 1947.

2. Mr. P. K. Das, learned advocate for Central Mine Planning and Design Institute Limited (CMPDIL)/opposite party No. 1 and 2 is present. On repeated calls at 1.30 pm, Nanda Lal Dubey is found absent. It appears to me that the petitioner is disinclined to proceed further for which he did not appear for several years. After assuming charge of this Tribunal, Notice was sent to the workman on 07.12.2022 but the same was returned unserved. In view of such facts and circumstances the complaint case is dismissed in the form of a **No Dispute Award**.

Hence,

ORDERED

that a **No Dispute Award** be drawn up in respect of the above Complaint case. Let copies of the Award in duplicate be sent to the Ministry of Labour and Employment, Government of India, New Delhi under section 33-A (b) of the Industrial Dispute Act, 1947 for information and Notification.

ANANDA KUMAR MUKHERJEE, Presiding Officer

नई दिल्ली, 1 मई, 2023

का. आ. 707.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट बैंक प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चेन्नई के पंचाट संदर्भ संख्या (43/2017) को प्रकाशित करती है ।

[सं. एल-12012/58/2016-आई आर (बी-1)]

सलोनी, उप निदेशक

New Delhi, the 1st May, 2023

S.O. 707.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 43/2017) of the Cent.Govt.Indus.Tribunal-cum-Labour Court Chennai as shown in the Annexure, in the industrial dispute between the management of State Bank of India and their workmen.

[No. L- 12012/58/2016-IR(B-I)]

SALONI, Dy. Director

ANNEXURE

BEFORE THE CGIT-CUM-LABOUR COURT & EPF APPELLATE TRIBUNAL CHENNAI

ID No. 43/2017

Present: DIPTI MOHAPATRA, LL.M. Presiding Officer

Date: 24.03.2023

Shri R.V. Shibin Roy
S/o A. Rajayyan
No. 97, Kattayanvilai
Vetturnimadam Post
Nagercoil

....First Party Petitioner

AND

The General Manager (B&O)
State Bank of India
RBO-II, Administrative Office
Madhuram Complex No. 2

Dr. Ambedkar Road
Madurai-625002

....Second Party Respondent

Appearance:

For the Petitioner : Advocate, M/s K.M. Ramesh
For the First and Second Respondents : Advocates, M/s T.S. Gopalan & Co.

AWARD

The Central Government, Ministry of Labour & Employment vide its Order No. L-12012/58/2016-IR(B.I) dtd. 27.04.2017 referred the following Industrial Dispute to this Tribunal for adjudication.

The schedule mentioned in that order is:

“Whether the action of the management of SBI, Zonal Office, Madurai in imposing the punishment of “voluntary cessation of employment” w.e.f. 30.07.2013 upon Sri R.V. Shibin Roy, an Ex-Assistant, Sattur Branch of SBI, Madurai is legal and justified? If not, to what relief, the workman is entitled to?”

2. On receipt of the above reference from the appropriate Government, the dispute on reference is registered in ID No. 43/2017. Notices were issued to both the parties for their appearance fixing the case to 22.05.2017 which were duly acknowledged by the parties. None on behalf of the First Party Union appeared resulting further 6 adjournments in the whole of the year 2017. The Petitioner did not turn up. However, the case was again re-listed to several dates i.e. 7 adjournments commencing from 04.01.2018. Since the post of Presiding Officer was lying vacant for those days the case was again re-listed to some more dates in the year 2019 when the post of Presiding Officer was filled up. On a bare perusal of the Order Sheet, it reveals that in the year 2019 the case was listed to 11.02.2019 when the Respondent filed the Counter Statement. The case was accordingly listed to 04.03.2019 directing the Petitioner to file Affidavit-Evidence. Since then, the case was again re-listed to several dates for the same purpose till 29.10.2019. Even though, the Petitioner is found to have been afforded with such liberal opportunities but the Petitioner did not turn up resulting further suo-moto 5 adjournments in the year 2020 and also two more adjournments in the year 2021 upto 03.06.2021. Taking into consideration the hard situation of Pandemic COVID-19, this Tribunal did not resort to any coercive steps against the Petitioner but in order to facilitate the Petitioner to contest his case afforded further opportunities directing the Petitioner to file Affidavit-Evidence. The case was accordingly listed to 16.08.2021, 31.08.2021, 06.09.2021, 28.10.2021, 07.01.2022, 17.02.2022, 30.03.2022 and 01.06.2022. The Petitioner failed to file the Affidavit-Evidence. However, the Respondent since present was directed to put forth his case. At the same time, the Respondent was also directed to file Affidavit-Evidence, if any. Since then, the case was again re-listed to some more dates i.e. 13.09.2022, 19.10.2022, 14.12.2022, 17.01.2023 and 16.03.2023. Neither the Petitioner nor any Authorized Representative was present or filed any Affidavit-Evidence. However, for the interest of justice, the case was re-listed to 23.03.2023 as last chance. None appeared on behalf of the Petitioner, no Affidavit-Evidence is filed. On the other hand, the Counsel for the Respondent files a Memo to dispose of the case in view of the provisions and term contemplated in Rule-22 of the ID Act. The Learned Counsel for the Respondent made a strenuous objection to re-schedule the case to any other date which would be nothing but wastage of valuable time of the Tribunal. The contentions of the Memo as well as the submission of the Learned Counsel for the Respondent since has got sufficient force for consideration, it is felt not to re-list the case to any other date for the same purpose but to dispose of the case in accordance with Law. Hence the case is reserved for final order.

In view of the discussions held in preceding paragraphs, it is crystal clear that the case is simply dragged approaching 6 years simply because of negligence attributed by the Petitioner. The very conduct of the Petitioner amply proves that he has no interest to proceed with the case. The non-cooperation of the Petitioner simply caused enormous wastage of valuable time of the Tribunal. Thus, it is felt to dispose of the case as liable for dismissal as much as despite of several adjournments the Petitioner chose not to cooperate or participate in the proceedings.

4. In view of the discussion held in preceding paragraph, it deems there exists no dispute for adjudication as referred by the Appropriate Government. In the result the reference is answered against the Petitioner Union.

The ID case stands dismissed for default.

An Award is passed accordingly.

DIPTI MOHAPATRA, Presiding Officer

नई दिल्ली, 1 मई, 2023

का. आ. 708.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार इंडियन बैंक प्रबंधतंत्र के सबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चेन्नई के पंचाट संदर्भ संख्या (12/2019) को प्रकाशित करती है ।

[सं. एल- 12011/83/2018 -आई आर (बी-II)]

सलोनी, उप निदेशक

New Delhi, the 1st May, 2023

S.O. 708.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref.12/2019) of the Cent.Govt.Indus.Tribunal-cum-Labour Court Chennai as shown in the Annexure, in the industrial dispute between the management of Indian Bank and their workmen.

[No. L- 12011/83/2018-IR(B- II)]

SALONI, Dy. Director

ANNEXURE

BEFORE THE CGIT-CUM-LABOUR COURT & EPF APPELLATE TRIBUNAL CHENNAI

ID No. 12/2019

Present: DIPTI MOHAPATRA, LL.M. Presiding Officer

Date: 23.03.2023

The General Secretary
Indian Bank Employees Union
No. 6, Moore Street
Mannady
Chennai-600001

....First Party Petitioner Union

AND

The General Manager
Indian Bank, HRM Department
Corporate Office
254-260, Avvai Shanmugham Salai
Royapettah
Chennai-600014

...Second Party Respondent

Appearance:

For the Petitioner Union	:	Advocate, M/s KM Ramesh
For the First and Second Respondents	:	Advocates, M/s T.S. Gopalan & Co.

AWARD

The Central Government, Ministry of Labour & Employment vide its Order No. L-12011/83/2018-IR (B.II) dtd. 08.01.2019 referred the following Industrial Dispute to this Tribunal for adjudication.

The schedule mentioned in that order is:

“Whether the action of the management of Indian Bank, in disengaging the services of Sri K. Raghulan, Tiny Deposit Collector is justified? If so, to what relief is Sri K. Raghulan entitled to?”

2. On receipt of the above reference from the appropriate Government, the dispute on reference is registered in ID No. 12/2019. Notices were issued to both the parties for their appearance fixing the case to 25.03.2019 which were duly acknowledged by the parties. None on behalf of the First Party Union appeared resulting further 6 adjournments in the whole of the year 2019. On 27.01.2020, the Respondent filed Counter Statement. Accordingly, the Petitioner was directed to file Affidavit-Evidence fixing the case to 02.03.2020. The Petitioner failed to produce Affidavit Evidence and Documents. The case was adjourned to several dates (i.e. almost 7 to 8 dates) in the whole of the year 2020 and the middle part of the year 2021. The Petitioner did not turn up. However, looking into the hard situation of COVID-19, the Tribunal did not take any coercive steps but leniently viewed by affording further adjournments to the Petitioner for the same purpose. The case was listed to 17.08.2021, 02.09.2021, 12.10.2021, 18.11.2021. Neither the Petitioner nor the General Secretary of the First Party Union or any Authorized Representative / Counsel on behalf of the Petitioner were present despite of repeated calls on all those dates. However, without resorting to any coercive steps the case was dealt leniently by suo-moto affording further opportunities almost 11 adjournments in the whole of the year 2022 to the Petitioner-cum-General Secretary for the same purpose. The Petitioner did not turn up.

3. As last chance the case was listed to 13.02.2023. On that day, neither the Petitioner nor the General Secretary / Authorized Representative of the First Party Union appeared. No Affidavit-Evidence has been filed. On the other hand, the Counsel for the Respondent vehemently raised objection with a submission not to re-schedule the case on any other date but to dispose of the same in accordance to law. In this context, it is pertinent to mention that on a bare perusal of the documents on record, it reveals that the General Secretary, the First Party Union has no interest to proceed with the case. On the other hand, the negligence attributed by the First Party Union simply drags the case for more than 4 years. The very conduct of the Petitioner's Union amply proves has no interest to proceed with the case. The non-cooperation of the First Party Union simply caused enormous wastage of valuable time of the Tribunal. In the given fact and circumstance, it is felt not to repose the case to any other date as the case is liable for dismissal in accordance to Law.

4. In view of the discussion held in preceding paragraph, it deems there exists no dispute for adjudication as referred by the Appropriate Government. In the result the reference is answered against the Petitioner Union.

The ID case stands dismissed for default.

An Award is passed accordingly.

DIPTI MOHAPATRA, Presiding Officer

नई दिल्ली, 1 मई, 2023

का. आ. 709.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेंट्रल वेयरहाउसिंग कॉर्पोरेशन के प्रबंधन के संबद्ध नियोजकों और श्री राजवीर सिंह पुत्र श्री रिशाल सिंह, अलीगढ़ (उत्तर प्रदेश) के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-1, चंडीगढ़, पंचाट (रिफरेन्स न.-78/1996) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 01.05.2023 को प्राप्त हुआ था।

[सं. एल- 42012/3/1996-आई आर (एम)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 1st May, 2023

S.O. 709.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Reference No. 78/1996) of the Central Government Industrial Tribunal cum Labour Court-1, Chandigarh as shown in the Annexure, in the Industrial dispute between the employers in relation to Central Warehousing Corporation and Shri Rajvir Singh, S/o Shri Rishal Singh, Aligarh (Uttar Pradesh) which was received along with soft copy of the award by the Central Government on 01.05.2023.

[No. L- 42012/3/1996-IR(M)]

D. K. HIMANSHU, Under Secy.

ANNEXURE**IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH.****Present:** Sh. J.K. TRIPATHI, Presiding Officer

ID No.78/1996

Registered on:-22.08.1996

Sh. Rajvir Singh S/o Sh. Rishal Singh,
Warehouse Assistant Grade-II, Central Warehouse,
Abohar, R/o VPO Siroli, Distt. Aligarh(UP).

....Workman

Versus

1. Regional Manager, Central Warehousing Corporation
(A Govt. of India Undertaking), Sector 17, Chandigarh.
2. Managing Director, CWC, Head Office, New Delhi.Respondents/Managements

AWARD**Passed On:-15.03.2023**

Central Government vide Notification No. L-42012/3/96-IR(CM) Dated 12.08.1996, under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947(hereinafter called the Act), has referred the following Industrial dispute for adjudication to this Tribunal:-

“Whether the action of management of Central Warehousing Corporation, Abohar in terminating the services of Shri Rajbir Singh is legal and justified? If not, to what relief the concerned workman is entitled and from what date?”

1. The brief facts relevant for deciding this claim petition is that as per claim of workman, the workman was working as Warehouse Assistant Grader-II since 23.02.1981 at Central Warehouse, Abohar-I and he continued working as such till 23.05.1987 without any break in his service he had worked for a period of more than 6 years before termination of his service. The workman was recruited through Employment Exchange as per the procedure laid down by Corporation. No appointment letter was issued to the workman and he was only allowed to join without any other condition. The termination order is stigmatic on the workman. The management has not complied with the provision of Section 25-F and the amount paid were less than the amount admissible for rendering 6 year service. The corporation recruited a number of Warehouse Assistant Grade-II even after termination of the services of the workman and the workman has not been given any opportunity to rejoin the services of the corporation. The workman had requested the Managing Director to regularize his services vide letter dated 17.04.1987. There is no breakage in the services of the workman. The workman had worked with great zeal, sincerity, honesty and discharged his duties efficiently under the guidance of superior authority. It is therefore, prayed that the order of termination may please be quashed and the workman may please be reinstated in service with full back wages with interest @ 18% per annum till date.

2. The management has not filed any written statement as the Hon'ble High Court has stayed the further proceeding in the case.

3. During the pendency of the proceedings before this Tribunal on 15.03.2023, the case is fixed for consideration and disposal of the application moved by the management. Reply has been submitted by the workman. Learned counsel appearing on behalf of management has drawn the attention of this Tribunal towards the judgment passed by the Hon'ble Punjab & Haryana High Court Chandigarh in *Civil Writ Petition No.14620 of 1996 titled as Central Warehousing Corporation Vs. Union of India and another*. From the perusal of the order of the Hon'ble High Court Chandigarh, the matter brought before the Hon'ble High Court by the management the workman has already moved the writ petition before the Hon'ble High Court and that Writ Petition was tagged with the respondents Writ Petition.

4. The Hon'ble High Court in Civil Writ Petition No.14620 of 1996 titled as Central Warehousing Corporation Vs. Union of India and another has passed an order on 20.02.2017, whereby it has been held by the Hon'ble High Court that the proceeding before the Labour Court is not maintainable and without jurisdiction.

5. In the light of the judgment passed by the Hon'ble High Court Chandigarh on 20.02.2017 in *Civil Writ Petition No.14620 of 1996 titled as Central Warehousing Corporation Vs. Union of India and another*, this proceeding is not maintainable in this Court and hence, liable to be dismissed and dismissed accordingly.

6. Let copy of the award be sent to the Central Government for publication of the same as required under Section 17(2) of the Act.

J. K. TRIPATHI, Presiding Officer

नई दिल्ली, 1 मई, 2023

का. आ. 710.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार श्री मुदित स्वरूप, मेसर्स रिलायंस लाइफ इन्शुरन्स कंपनी लिमिटेड, नई दिल्ली के प्रबंधन के संबद्ध नियोजकों और श्री मंसूर अख्तर पुत्र स्वर्गीय इबदुर्रहमान, प्रतापगढ़ (उत्तर प्रदेश) के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, कानपुर, के पंचाट (रिफरेन्स नं.-91/2018) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 01.05.2023 को प्राप्त हुआ था।

[सं. एल-17012/8/2018-आई आर (एम)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 1st May, 2023

S.O. 710.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Reference No. 91/2018) of the Central Government Industrial Tribunal cum Labour Court, Kanpur as shown in the Annexure, in the Industrial dispute between the employers in relation to Shri Mudit Swaroop, M/s Reliance Life Insurance Company Limited, New Delhi and Shri Mansoor Akhtar, S/o Late Ibadurrahman, Pratapgarh (Uttar Pradesh) which was received along with soft copy of the award by the Central Government on 01.05.2023.

[No. L- 17012/8/2018-IR(M)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE SHRI SOMA SHEKHAR JENA, PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT KANPUR

Present: SOMA SHEKHAR JENA HJS (Retd.)

I.D. No. 91 of 2018

L-17012/8/2018-IR(M) dated 24.09.2018

BETWEEN

Shri Mansoor Akhtar, S/O Late Ibadurrahman
Village & Post- Handaur, District- Pratapgarh
Uttar Pradesh-230136

AND

Sri Mudit Swaroop, Zonal Manager Human
Resources North 1 & North 11, M/s Reliance Life Insurance
Company Limited, A-2, 1st Floor, Kirti Nagar, Najafgarh Road,
Near Karla Hospital, New Delhi-110015

AWARD

This award arises in respect of the reference mentioned in the schedule stated below as received from the Ministry of Labour & Employment in letter no. L-17012/8/2018-IR(M) dated 24.09.2018.

SCHEDULE

‘Whether Shri Mansoor Akhtar appointed as ‘Sales Manager-Agency in the Garde E2 by Reliance Life Insurance(Anil Dhirubhai Ambani Group) vide letter dt 16.04.2007 is ‘workman’ under ID Act 1947?’

If yes, whether the action of the Reliance Life Insurance (Anil Dhirubhai Ambani Group) in terminating the Services of Shri Mansoor Akhtar vide letter dt 13.04.2016 is proper, legal & Justified? If not, to what reliefs Shri Mansoor Akhtar are entitled for? What other directions, if any, are needed in this matter?”

On receipt of notification, notices were issued to both the parties on 19.11.2018 fixing 04.12.2018 for filing of statement of claim. But none appeared on behalf of claimant workman on the date fixed. On perusal of the record it is found that though several dates were fixed for filing the statement of claim none appeared on behalf of the claimant workman before this Tribunal. Despite ample opportunities to the claimant for submitting statement of claim; the claimant failed to present the case before this Tribunal. Later the case was reserved for final award for non-appearance of the claimant .

From the aforesaid circumstances it is presumable that the claimant workman is not interested in prosecuting the case further before this Tribunal.

Hence in the given circumstances the reference stands disposed of as of ‘NIL’ award.

Parties are left to bear their respective costs.

Date: 02.03.2023

SOMA SHEKHAR JENA, Presiding Officer

नई दिल्ली, 1 मई, 2023

का. आ. 711.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मेसर्स इफको-टोक्यो इन्सुरेंस सर्विसेज लिमिटेड, गुडगाँव, हरियाणा के प्रबंधन के संबद्ध नियोजकों और श्री अभिजीत के. डोन्गे, कोल्हापुर (महाराष्ट्र) के बीच अनुबंध में निर्दिष्ट औद्योगिक अधिकरण एवं श्रम न्यायालय, कोल्हापुर, के पंचाट (रिफरेंस नं.-07/2015) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 01.05.2023 को प्राप्त हुआ था।

[सं. जेड - 16025/04/2023 -आई आर (एम)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 1st May, 2023

S.O. 711.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Reference No. 07/2015) of the Industrial Tribunal cum Labour Court, Kolhapur as shown in the Annexure, in the Industrial dispute between the employers in relation to M/s IFFCO-TOKIO Insurance Services Limited, Gurgaon, Hariyana and Shri Abhijit K. Donage, Kolhapur (Maharashtra) which was received along with soft copy of the award by the Central Government on 01.05.2023.

[No. Z-16025/04/2023-IR(M)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE THE PRESIDING OFFICER, INDUSTRIAL COURT NO.02, KOLHAPUR

REFERENCE (I.T.) NO.07/2015.

EXH.O-2

The Chief Executive Officer,
M/s. IFFCO-TOKIO Insurance Services
Limited, Corporate Office, 02nd Floor,
Iffco Towers, Plot No.03, Sector-29,

.. First Party

Gurgaon, Hariyana.

V/s.

Shri. Abhijit K. Donage,
R/o. 4A/128, Ghodkewadi,
Near Shahu Market Yard, Kolhapur.

.. Second Party

CORAM :- Shri. S. D. Suryawanshi, Member.

J. O. Code :- MH02959.

APPEARANCE :-

For First Party :- Ld. Adv. Shri. V. M. Kuigade

For Second Party :- Ld. Adv. Shri. U. B. Jadhav

AWARD

(Decided on this 17th day of February, 2023)

1) The appropriate Government exercising powers under Section-10-2A(1)(d) of the Industrial Disputes Act, 1947 (hereinafter shall be referred as 'the I.D. Act') referred Industrial Dispute for adjudication the issue "as to whether Shri. Abhijit K. Donage, Marketing Trainee is a 'Workman' under the provisions of Industrial Disputes Act, 1947? If so, whether the action of the Management of M/s. Iffco Tokio Insurance Services Limited, Gurgaon, Hariyana in terminating services of Shri. Abhijit K. Donage vide order dated 06/11/2010 is justified, legal, proper and in proportion to the alleged charge of misconduct ? If not then what relief the workman is entitled to ? And from which date and what others are necessary in the matter ?"

2) In response to the Reference Order dated 08/05/2015 notices were issued to the M/s. Iffco Tokio Insurance Services Limited (hereinafter shall be referred as 'the First Party') and Shri. Abhijit K. Donage (hereinafter shall be referred as 'the Second Party'). Accordingly, second party has filed its statement of claim and first party has filed its Written Statement.

3) If perused the statement of claim, the second party has submitted that, he was employed by first party on and from 01/01/2010 in the capacity of Marketing Executive in its Sangli Office. The service record of second party is clean and unblemished and he has not committed any misconduct during the entire tenure. The first party by letter dated 01/01/2010 was appointed to the second party but in the said letter his designation is shown as Marketing Trainee. However, the second party has completed training and also successfully passed I.R.D.A. examination. Hence, the second party on completion of his training he was shown as probationer for the period of six months. Further the work of second party was clerical and manual and he falls under the definition of 'Workman' under Section-2(s) of the I.D. Act, 1947. The first party is engaged in the activities of insurance of vehicles and animals. Said animals and vehicles wherever they are located first party was going on the spot for their insurance. Hence, for the insurance whatever documents are required to be prepare and also receiving of insurance cheque and depositing in the Bank second party was performing the work.

4) However, his services are terminated on dated 26/11/2010 and reasons shown in termination order are false and untrue. The second party has worked with the first party continuously more than 240 days, therefore, he was permanent employee. Also at the time of terminating his services the first party has not given any notice required under Section-25 of the I.D. Act, 1947 nor paid notice pay. Further no show cause notice was given prior to termination. Further no charge-sheet was given and conducted the enquiry. The second party was appointed as Marketing Trainee but at the time of his termination he was looking the affairs in the capacity of Marketing Executive. However, without providing the opportunity to being heard the first party has terminated the second party and violated the principles of natural justice. Hence, the action of first party is illegal and improper, therefore, said action is deserve to be quash and *set-aside*.

5) After termination of his service the second party tried to get alternate employment but he could not succeed. Hence, the second party is unemployed till date and causing great hardship because of not having income source. Therefore, it has prayed that, the Reference may be allowed and order dated 26/11/2010 may be

quash and *set-aside* and second party may be reinstated with full back wages and continuity of service declaring that, the second party is a 'Workman' defined under the I.D. Act, 1947.

6) The first party through its written statement submitted that, the allegations, averments and contentions made in the statement of claim are not admitted by first party. Further it is not true to say that, the second party was working as a Marketing Executive from 01/01/2010 at their Sangli Office. Also not admitted to the first party that, second party has served sincerely and honestly and his service record is clean and unblemished and he has not done any misconduct. However, it is true to say that, the second party was appointed by letter dated 01/01/2010 as a Marketing Trainee. As far as contentions of training is concerned; said contentions are denied and second party has not completed any training and passed examination of I.R.D.A. Also it is denied that, after training he was working with the first party on probation for the period of six months and thereafter he was working as Marketing Executive. Also denied that, his nature of work was clerical and manual and second party is a 'Workman' and first party is the 'Industry'. As far as termination is concerned; first party admits that, the second party by letter dated 26/11/2010 has been terminated. But denied that, the first party has not complied the Section-25 of the I.D. Act, 1947 and he worked for more than 240 days and he became the permanent employee. Also it is denied that, no any show cause notice was issued before terminating his services and not conducted Departmental Enquiry and not given him chance to defence or to state his side.

7) It is also denied that, the reason behind the termination order is false and frivolous and second party has not done any misconduct or misbehaviour during his tenure. It is also not correct to say that, the second party is a 'Workman' and business of first party is to ensure cattle and all types of vehicles and it was the duty of second party to inspect the cattle and vehicles on the spot. Further denied that, the second party was required to prepare the documents for the insurance and also received cheque from concerned insured persons and deposit with the Bank. Further it is not correct to say that, the second party is not serving anywhere since the date of termination and he is unemployed and he has no source of income, therefore, he suffering from starvation.

8) Bare perusal of written statement suggest that, the first party tried to show that, what dispute was arose between the first party and second party. If perused Para 13 onwards it is the submission of first party that, admittedly the first party is an Insurance Company registered under the Company's Act and also it is registered with I.R.D.A. The first party as a Corporate Agent of Iffco-Tokio General Insurance Company Limited. By letter dated 01/01/2010 the second party was engaged as a trainee at the location of Sangli. The terms and conditions were also mentioned in the said letter accompanied with Training Agreement which was enclosed with the said letter. As per said letter the second party was bounden duty to sign the Training Agreement and to submit before joining. The second party was appointed as trainee for the period of maximum two years thereafter on successful completion of training period second party was to absorb in regular service of company with initial six months period on probation. As per agreement between the first party and second party vide Clause-5.1 given right to the first party to terminate the agreement at any time without assigning any reason. Hence, the first party exercising its right terminated his services vide termination order dated 26/11/2010. The second party was appointed on the post of trainee and was provided financial assistance by way of stipend. So the second party is not 'Workman' under Section-2(s) of the I.D. Act, 1947. The second party was also paid stipend in lieu of notice and same has been accepted by second party. The second party was unauthorised absent from services in October and November-2010 and letters were issued by first party in which it was advised him to report to the first party.

9) The second party along-with other ex-employees was involved in the theft of the cattle cover note books of first party from Sangli. Accordingly, F.I.R. was lodged in the Police Station on dated 18/11/2010 and second party was arrested by concerned Police Station. Later on he was released on bail and cover note books which were in possession of second party was recovered from him by concerned Police Station. Hence, the first party has terminated his services for the cause of loss of confidence. Therefore, question of providing opportunity to defend or to file his say or to conduct the Domestic Enquiry does not arise. The second party has committed serious misconduct such as theft of cover notes of first party, so the first party reserves its right to justify its action if necessary. Vide order dated 26/11/2010 it was communicated that, "pursuant to your act of misdemeanor that first party has lost faith in your service" and services are terminated and cheque of Rs.26,748/- drawn on H.D.F.C. Bank was also given to the second party. Hence, the action of first party terminating his services on account of theft is proper and legal. Further the second party do not fall within the definition of 'Workman'. Hence, the Reference may be rejected.

10) It is pertinent to note that, the file of present proceeding was misplaced and my learned predecessor had been sought permission to reconstruct the file vide application dated 30/01/2020. Accordingly, vide letter dated 12/03/2020 the Head Office was communicated that, as per Circular No.204 dated 25/10/2017 permission is granted to reconstruct the file. Hence, on dated 18/06/2020 reconstructed the file and necessary order was passed by my learned predecessor.

11) It is also pertinent to note that, the first party had been sought preliminary issue with regards to 'Workman'. Accordingly, said issue might have been framed by my learned predecessor and second party lead his evidence. However, no order was passed on preliminary point. Hence, the second party filed application below Exh.U-16 and prayed to record the findings on all issues. The Tribunal considering the old matter and giving consideration to the facts order dated 11/01/2022 has been passed below Exh.U-16 and once again issues are framed and second party was directed to adduce his oral evidence on issues No.02 and 03 and liberty was given to the first party as well. Accordingly, the second party has lead his evidence by filing affidavit at Exh.U-17. The witness examined below Exh.U-17 was also cross-examined by first party. Since the oral evidence of second party is closed the matter was fixed for evidence of first party. However, the first party by filing pursis at Exh.C-18 declined to lead any evidence. Finally heard both the learned Advocates and perused record and proceeding. On the basis of record and proceeding, following issues are discussed and necessary findings to that effect recorded as under :

ISSUES	FINDINGS
1) Does the second party prove that, he is a 'Workman' as defined under Section-2(s) of the Industrial Disputes Act, 1947 ?	.. In the negative.
2) Do the first party prove that, the action of termination for the cause of alleged loss of confidence is justifiable, legal and proper ?	.. Does not survive.
3) Whether the second party workman is entitled to the relief as sought for ?	.. Does not survive.
4) What relief and Award ?	.. As per final order.

REASONS

AS TO ISSUE NO.01 :-

12) The second party claimed that, he was employed by first party in the capacity of Marketing Executive on and from 01/01/2010. But, in his appointment letter his designation is shown as Marketing Trainee. Also claimed that, he has completed training period and passed I.R.D.A. examination. As far as nature of work is concerned; he has submitted that, the first party was engaged in the insurance policy of cattels and vehicles. Hence, the second party was required to visit the place where vehicles or cattels were made available. Thereafter, he has to prepare documents and to collect the cheques and deposit in the Bank. Considering his nature of duty he is a 'Workman' under Section-2(s) of the I.D. Act, 1947.

13) To the other hand the first party pleaded that, admittedly he was employed by first party w.e.f. 01/01/2010 as a Marketing Trainee and not in the capacity of Marketing Executive. Further the first party objected the status of 'Workman' on the ground that, the second party was appointed on the post of Trainee for a period of two years and was provided financial assistance by way of stipend. Hence, Trainee is a not a 'Workman'. Except the said objection nothing averred by first party in its written statement.

14) If perused documents to that effect the second party has produced certain documents along-with Exh.U-12. If perused document at Serial No.01 it is the appointment letter issued to the second party. It contends that, the second party was employed in the capacity of Marketing Trainee at Sangli Office on certain terms and conditions mentioned in the Training Agreement. No doubt second party is in receipt of appointment order dated 01/01/2010 therein it is also contended that, the second party was supposed to undergo training and pass examination prescribed by I.R.D.A. Thereafter, he will be developing insurance business for I.T.I.S. in the area / locality allotted to him. On successful completion of training and subject to passing examination prescribed by I.R.D.A. he will be enlisted as an Insurance Specified person for I.T.I.S. In Clause-03 it is contended that, on successful completion of training, he will be engaged as a regular employee on probation for six months. If perused document at Serial No.02 it appears that, said document is so-called Certificate issued by Gurukul Agent Training Centre, Iffco-Tokio General Insurance Company Limited. In this certificate it is mentioned that, the second party has completed 50 hours practical training in General Insurance Business as specified in Regulation-5(1) of the Insurance Regulatory & Development Authority and said training was sponsored by M/s. Iffco-Tokio General Insurance Company Limited. However, first party denied this certificate and challenged the authenticity of certificate. If carefully perused certificate reveals that, said certificate is undated, therefore, second party was supposed to prove this certificate by calling any witness from concerned agent but he failed to

do so.

15) If perused relevant document with regards to 'Workman' issue at Exh.C-18 it is the Training Agreement and therein Clause-2.B says that, I.T.I.S. is desirous to appoint Marketing Trainee for canvassing and procuring general insurance business for I.T.I.S. and to this effect I.T.I.S. undertakes to impart intensive theoretical and on the job training for a period of/not exceeding two years. Further in Clause-5.1 mentioned that, I.T.I.S. reserves the right to terminate this agreement at any time without assigning any reason whatsoever by 15 days notice in writing to the Marketing Trainee. Further in Clause-5.3 it is stated that, on account of three grounds I.T.I.S. may terminate this agreement. If again perused the appointment order dated 01/01/2010 therein it is clearly mentioned that, Training Agreement is enclosed with the order. Admittedly, the second party was in receipt of appointment order, therefore, he was aware what was written in the appointment order. Therefore, it is concluded that, the second party must have receipt of Training Agreement copy which was produced by first party at Exh.C-18.

16) On the point of 'Workman' the second party was examined at Exh.U-08. If perused said affidavit he deposed same facts which are pleaded in his statement of claim except his salary. If perused his cross-examination he has submitted that, since 16/01/2017 he is doing part time services and as on today that means in the year 2019 he is working in Pune. In the year 2012 he was working with Uttara Foods and Feeds, Pune; thereafter, he was working in Kolhapur. Since his termination in the year 2010 he has taken one year gap and thereafter he is working. Further deposed that, he was in receipt of Training Agreement which produced along-with Exh.C-17/2. Further admits that, in the Training Agreement as per Clause-03 Trainee period is of 24 months and contents of agreement are true and correct.

17) On the point of 'Workman' issue the second party relied on following authorities :

(i) *Virender Singh V/s. Haryana Tourism Corporation Limited, through the Managing Director, Chandigarh, reported in 2005, II, C.L.R., 745* and (ii) *Rashtriya Chemical & Fertilizers Limited V/s. Vishal Sharma, reported in 2008, I, C.L.R., 545*.

As far as first authority is concerned; after carefully going through the same it is observed that, the issue before the Hon'ble High Court was that, the petitioner Shri. Virender Singh was appointed as apprentice and respondent Corporation claimed that, no contract came to be registered as envisaged. The Hon'ble High Court held that, the petitioner though appointed as apprentice, cannot be called apprentice after his training was completed and he was asked to continue until further orders. Therefore, Apprentice Act, 1961 shall not be applicable. Herein present case admittedly the second party was appointed on and from 01/01/2010 on the post of Marketing Trainee. By virtue of his Appointment Order he was required to go requisite training and pass examination prescribed by I.R.D.A. Further he shall be governed by terms and conditions of Training Agreement which is enclosed with the said order. Admittedly, the second party was in receipt of Training Agreement, therefore, he must be aware about the terms and conditions of Training Agreement. If perused Training Agreement at Exh.C-08 clearly reveals that, training period would not be exceeding two years. The second party tried to show that, he has undergone the training conducted by Gurukul Agent Training Centre. The certificate produced by second party along-with Exh.U-12 and Exh.U-15 both are undated. But during the course of cross-examination he has admitted that, Gurukul Agent Training Centre do not expand the training to the trainee employees. So, it cannot be said that, the second party has completed training period successfully and he become a probationer. Hence, authority relied by second party shall not be helpful in his favour. As far as authority No.02 is concerned; this case is on different footing as compared to the present proceeding.

18) The first party also relied on following two authorities on the point of 'Workman' issue.

(i) *Deccan Charters Private Limited V/s. Sarita Tiwari, decided on 27/08/2019* and (ii) *Raj Kumar Rastogi V/s. P. O. Labour Court-X and Another, decided on 18/05/2015*.

As far as first authority is concerned; in the said matter petitioner was appointed as a Trainee AME and terms of appointment order are contend in the appointment letter dated 01/08/2006. Clause-D of the appointment letter provides that, the respondent employee shall be on probation for three months from the date of joining. She shall be deemed to continue on probation until confirmed in writing and such period after initial period of probation shall be deemed to be extension of probation. Further Clause-E of the appointment letter provides that, respondent's service can be terminated during the period of probation or extended probation without assigning any reason thereof and by giving seven days notice in writing or payment in lieu thereof. However, according to the petitioner the respondent's performance was not satisfactory and therefore, she was not confirmed. Hence, the petitioner terminated her services on 09/08/2007. Thereafter, industrial dispute was referred to the learned Labour Court. The Hon'ble Delhi High Court relied on various judgments of Hon'ble Apex Court and held that, the respondent was Trainee AME on probation for a period of three months and further laid down that, the respondent has not been confirmed in writing and therefore, respondent shall be

deemed to be on extended probation period. Following the principles laid down in the aforesaid judgments the Hon'ble High Court laid down that, the petitioner is not a 'Workman' within the definition of Section-2(s) of the I.D. Act, 1947 and there is no infirmity in her termination during the extended probation period. Hence, the impugned order of learned Labour Court *set-aside*. Admittedly, in the present case the second party was appointed as a Trainee for two years and paid him stipend as agreed in the Training Agreement. Further admittedly the second party has not completed training, therefore, unless and until training period is completed he would not be entitled to be appointed on probation basis. Hence, vide letter dated 26/11/2010 the first party has terminated his services on the ground of loss of confidence.

As far as authority No.02 is concerned; in this authority there was dispute of 'Workman' under Section-2(s) of the I.D. Act, 1947. It was the case of Management before the learned Labour Court that, the workman was working as a Trainee with the Management. At the time of joining the Management he had not produce any experience certificate. He was issued appointment letter of Trainee and his training was extended time to time and he was paid honorarium. Here also the Hon'ble Delhi High Court relying on various case laws held that, the petitioner being a Trainee is not 'Workman' within the meaning of Section-2(s) of the I.D. Act, 1947. As discussed above both the case laws shall be helpful to the stand of first party.

19) After analyzing the documentary and oral evidence this Tribunal inclined to state that, the second party was employed in the capacity of Marketing Trainee as per order dated 01/01/2010. Further along-with the Appointment Order he was issued Training Agreement wherein terms and conditions are mentioned. Further the second party has not completed the training period and at any point of time he was not appointed on probation. During the training period allegedly the first party has lost the confidence in the second party, therefore, first party has terminated his services in the month of November-2010 paying him amount of Rs.26,748/- towards full and final settlement of his dues. Therefore, it can be concluded that, the second party shall not fall under the definition of 'Workman' under Section-2(s) of the I.D. Act, 1947. Hence, the findings of issue No.01 answered in the 'Negative'.

AS TO ISSUES NO.02 & 03 :-

20) Once it is held that, the second party would not fall under the definition of 'Workman', therefore, this Tribunal has no jurisdiction to record the findings on remaining issues. Hence, said issues '**does not survive**' for my consideration. With above observation this Tribunal has to pass following Award.

AWARD

- 1) It is held and declared that, the second party is not 'Worman' defined under Section-2(s) of the Industrial Disputes Act, 1947. Hence, The Reference (I.T.) No.07/2015 answered in the negative.
- 2) The Award be send to the appropriate Government for its publication.

Shri. S. D. SURYAWANSHI, Presiding Officer

नई दिल्ली, 2 मई, 2023

का. आ. 712.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधतंत्र, संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय जयपुर के पंचाट (1/2012) प्रकाशित करती है।

[सं. एल- 12012/76/2011 -आई आर (बी-1)]

सलोनी, उप निदेशक

New Delhi, the 2nd May, 2023

S.O. 712.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref.1/2012) of the Cent.Govt.Indus.Tribunal-cum-Labour Court Jaipur as shown in the Annexure, in the industrial dispute between the management of State Bank of India and their workmen.

[No. L-12012/76/2011-IR(B-I)]

SALONI, Dy. Director

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JAIPUR**

RADHA MOHAN CHATURVEDI, Presiding Officer

I.D.1/2012

Reference No.L-12012/76/2011-IR(B-I)

dated: 24.11.2011

Shri Ashok Kumar Meena
S/o Shri Lakhi Ram Meena
VPO Divli Via Bhusawar,
District Bharatpur (Rajasthan).

V/s

Assistant General Manager
State Bank of India
(formerly known as State Bank of Hyderabad),
Gun Foundry, Hyderabad,
Andhra Pradesh.

Present:

Sh. R.C.Jain, Representative for applicant.
Sh. Bhagirath Patel, Dy. Manager (Law) for respondent.

AWARD**10.8.2022**

1. The Ministry of Labour, Government of India, New Delhi in exercise of powers conferred by clause (d) of sub-section (1) & sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (in short The Act) had referred the under mentioned dispute for adjudication to this tribunal:

“Whether the action of the management of State Bank of Hyderabad, in considering that Shri Ashok Kumar Meena has voluntary vacated the services w.e.f. 7.9.2007 is legal and justified? To what relief the workman is entitled?”

2. While receiving the dispute the tribunal had issued notice to parties & applicant was directed to file its statement of claim. On 5.3.2012, applicant filed his statement of claim. Contents in brief are narrated as under:-

3. The applicant workman joined on 6.3.2006 as clerk cum cashier cum typist in the respondent bank at Adilabad Main branch, Adilabad. Applicant was confirmed in the bank's service after the expiry of period of six months i.e. 6.9.2006. Workmen took permission to avail paternity leave since 6.1.2007 & came to his native place in district Bharatpur, Rajasthan. Thereafter, he extended the leave for 7 days as permission was granted by the respondent on telephone upto 28.1.2007. The wife of workman is suddenly expired on 28.1.2007 therefore, the applicant further extended his leave and informed the respondent through an application dated 29.1.2007. During this period applicant was implicated in a police case of dowry death under section 498-A, 406 & 304-B of I.P.C. Due to this false criminal case the applicant remained in depression & met with an accident. Applicant further remained on leave and informed respondent sending application dated 10.2.2007 requesting to extend his leave for two months. Applicant regularly informed the respondent by sending applications for seeking extension of leave on various dates. Applicant again informed the respondents vide his application 15.7.2007 regarding extension of leave for four months due to his ailing condition. The applicant again informed respondent through his application dated 20.12.2007 regarding his family problems and requested to extend his leave for uncertain period. Applicant again informed respondent vide his application dated 16.6.2008 regarding his mental distress and inability to attend his duty. The applicant was informed vide order dated 20.6.2008 by the respondent regarding discharge from bank service due to his unauthorised absence from duty and accordingly he has been discharged from service from 7.9.2007. The respondent has not considered the applications sent by applicant regarding his absence due to family problems and illness. Applicant was confined to jail from March, 2009 to March, 2010 and he was not in a position to challenge the bank's order dated

20.6.2008. The order of respondent is patently illegal, contrary to law and facts. The whole proceedings initiated against the petitioner are illegal and deserves to be quashed and set aside. The applicant should not be given such a harsh punishment for his absence from duty. The respondent has violated the provisions of VIII B.P. Settlement dated 10.4.2002 and 2.6.2005. The applicant has not vacated the service; the order of respondent is void ab initio, therefore, the respondent may kindly be directed to reinstate the workman in the bank's service along with all other benefits.

4. The respondent bank in its reply to claim denied the averments in toto but admitted that the petitioner joined the bank on 6.3.2006 and his services are governed by the terms & conditions mentioned in the memorandum of appointment including Shastri/Desai Award, B.P. Settlement or any other award that may come into force from time to time. The petitioner has absented himself during probation period for 28 days, 13 days and 15 days. Again he was unauthorizedly absent from duty w.e.f. 6.1.2007. His services were not confirmed in the bank. Petitioner was eligible for 10 days casual & 23 days sick leave. In case the absented period is considered, the leave balance available to the petitioner credit would be nil. When no leave is available, the petitioner was unauthorizedly absent from 6.1.2007 onward without submitting any application. The petitioner neither submitted any application nor informed about his absence. The averment regarding extending leave for 7 days upto 28.1.2007 as permission granted by chief manager on telephone is false. No leave including paternity leave was granted by Chief Manager on telephone. The filing of annexures (copy of applications) by applicant is an afterthought to give an impression that he had informed the bank regarding his absence. The alleged leave applications were not received by the bank. There is no provision of paternity leave as per VIII B.P. Settlement. The petitioner has filed fabricated/concocted letters with his claim. The petitioner first time forwarded the letter dated 11.5.2007 seeking leave from 20.5.2007 to 5.6.2007 and then sought leave from 15.7.2007 to 5.8.2007 due to illness. Petitioner had not leave title available to his credit, therefore, his request for sanction of leave could not be considered. Moreso, his application was not accompanied with a medical certificate and fitness certificate. The petitioner sent a letter dated 16.6.2008 and stated therein that he was absent from bank since 6.1.2007. He admitted in that letter that he knew that the bank had sent notice to him. The bank has sent notice to petitioner through registered post AD on 15.5.2007, 3.7.2007, 7.8.2007 and 7.9.2007. As the petitioner was absent from duty for more than 90 days without obtaining prior permission from competent authority he committed a breach of provisions of clause 33 of 8th B.P. Settlement dated 2.6.2005. The petitioner was deemed to have voluntarily vacated his employment w.e.f. 7.9.2007. The petitioner stated that he was confined to jail from March, 2009 to March, 2010, whereas he was deemed to have voluntarily vacated the service on 7.9.2007 i.e. more than one and half year earlier to his confinement in jail. The order of controlling authority is strictly in accordance with the provisions of clause 33 of 8th B.P. settlement dated 2.6.2005. The notices sent to the petitioner were on the address available on the bank records given by the petitioner himself. So it cannot be said that the petitioner was not aware of the notices. Thus, a proper service was made by the bank. The endorsement made by the postal authorities on returned postal covers indicate that he was not available at the residence and also the postman informed his family members about registered covers sent from the bank. The petitioner deliberately chose not to take delivery of the notices sent by respondent. Clause 33 of 8th B.P. Settlement dated 2.6.2005 is distinct & independent. It is a self-contained code & lay down procedure for taking action against those employees who are absenting from duty unauthorizedly. Treating this absence as voluntary vacation from service, the respondent has prayed that the claim petition may be dismissed.

5. The applicant in its evidence has examined himself (Ashok Kumar Meena) as witness and filed affidavit on 27.3.2017. Copy of which was given to respondent. The applicant has exhibited Ex-w-1 to w-5 in its evidence.

6. On 10.3.2021 it was ordered by the Tribunal that the State Bank of India be impleaded as a party respondent in place of State Bank of Hyderabad as the State bank of Hyderabad has been merged in the State Bank of India vide gazetted notification dated 22.2.2017. Accordingly, amended cause title of claim was ordered to be filed, which was complied with by the applicant.

7. On 6.7.2021, the applicant has filed an application alongwith the orders of Hon'ble Rajasthan High Court passed in S.B. writ misc. application no. 61/2021, Ashok Kumar Meena V/s Asst. General Manager, State Bank of Hyderabad passed on 24.3.2021 and S.B. Civil writ petition. No. 1949/2021 passed on 17.2.2021. Hon'ble High court has directed this tribunal to decide the dispute within a period of four months.

8. On 27.7.2021 none responded on behalf of respondents and no reason was assigned for this absence. In these circumstances, this tribunal was left with no alternative but to proceed ex-parte against the respondent.

9. On 23.9.2021, arguments of applicant were heard ex-parte and the date was fixed as 12.10.21 for passing the award, but on 7.10.21 an application was moved by the respondent for setting aside the order for ex-parte proceedings against it. On 1.11.21 this application was allowed and the order passed on 27.7.21 against the

respondent was set aside and opportunity to cross-examine the applicant and produce its evidence was given to respondent. The respondent has examined Sh. Surya Prakash Rao Yemarisety, A.G.M. in its evidence and exhibit Ex M-1 to M-6 as documentary evidence. On 9.5.22, 24.5.22 and 19.7.22 arguments (oral as well as written) of both the parties were heard and perused the evidence of parties available on record. On 24.5.22 it was deemed necessary and accordingly ordered by the Tribunal that the letter dated 16.6.08 which was sent by the claimant to respondent (as averred in para -11) of claim and respondent also admitted its receipt in para 11 of reply be produced by both the parties for perusal. In compliance of this order respondent produced the letter of applicant dated 16.6.08, which was marked EX-C-1 as court exhibit in the interest of justice.

10. The representative of applicant contended that the applicant while proceeding on leave since 6.1.2007 taken permission of respondents manager on telephone. He was permitted to remain absent from duty upto 28th Jan., 2007. He has also intimated the respondents from time to time informing the circumstances, under which he is not able to report on duty but the respondent ignoring the leave applications and intimation sent to it, arbitrarily passed the order regarding vacation of service by applicant himself. Respondent has not sent any notice to applicant as mandated under clause 33 of 8th. B.P. Settlement. Attracting the attention of Tribunal towards letter R-1 of respondent, he has contended that it bears no signature of Chief Manager. On letter R-2, which has been marked as notice I dated 3.7.2007 has not been received by the applicant. Similarly, annex. R-3 has been marked as final notice mentioning the notice 1st dated 16.5.2007 and 5.7.2007 which creates doubt regarding its reality. The respondent has concocted these notices to justify its order. The respondent has not given any opportunity to applicant to put his defence violating the principles of natural justice.

11. The representative of applicant has cited the following judgements in support of his arguments:

1. 2009 LAB(IC) 2036 (Supreme Court), Regional Manager, Central Bank of India v/s Vijay Krishna Neema & ors.
2. 1998 (6) supreme 534 Union of India v/s Dinanath Shanta Ram karekar & others.
3. Civil appeal No. 4410 of 2012 (Supreme Court), Union of India v/s Suresh kumar singh.
4. 2006 (4) RLW 3028 (Rajasthan H.C) State of Rajasthan v/s Harishchandra Sharma.
5. 2007 (2) SLC (LCS) 242 Bikash Bhooshan Ghosh & others v/s Novarties India Ltd. & others.
6. 2002-III LLJ 142 (madras) Neslin Joseph Prim v/s P.O., CGIT Cum L.C Chennai.
7. AIR 1968 S.C. 1473 Gopal Krishnaji Ketkar v/s Mohd. Haji Latif & others
8. 2001 WLC (UC) 607 (Rajasthan) Municipal Corporation Kota v/s Judge Industrial Tribunal & others.

12. Per contra the representative of respondent assailing the argument of applicant has argued that the respondent has complying the provision of clause No. 33 of VIII. B.P. Settlement issued notices through registered post and asked applicant to report for work but the claimant failed to report for work Hence it was deemed that he has voluntarily vacated his employment. Respondent has objected that this tribunal does not have territorial jurisdiction over the present matter. Dispute has to be adjudicated on the basis of place where the workman is working and the adverse order is operating. The claimant has not come with clean hands and correct facts. Hence he is not entitled for any relief.

13. The claimant was continuously absent form work from 06.01.2007 onwards exceeding more than 90 days without prior sanction form the competent authority. Therefore his absence is to be treated as voluntary vacation from service. Claimant had no leave at his credit, since the day he remained absent unauthorisedly. The claimant has deliberately avoided the receipt of letters/notices sent to him by regd. Post. Postal authorities endorsed on the envelops of notices that addressee is not available but his family members were informed about these letters/notices who were present at the address. The claimant has also in his letter dated 16.06.08 accepted that the bank sent notices and he could not get them because he was not at home, but after some time he came to know about these letters. He has relied upon the following judgment to fortify his arguments:-

1. C.A No. 1405/2016 (Supreme Court) Nand Ram v/s M/s Garware polyester Ltd. Jud. 16.02.2016.
2. 2009 (1) ALD 133 (Andhra Pradesh) S.Padmanabhan & others v/s Industrial Tribunal-II.
3. 1991 AIR (SC) 1401 Municipal Corp. Raipur v/s Ashok Kumar Mishra.
4. CWP 1753/1995 (Rajasthan HC) Judgement date 11.10.2011 Ram Singh Meena/ Bank of India.
5. C.A 6898/2004 (Sup. Court) Jud. Dated 1.09.2009 Regional Manager Bank of Baroda v/s Anita Nandrajog(Delhi High Court).
6. W.P (C) 5206/2002 (Delhi H.C) J.D. 25.05.2015 Shri Vijay Kumar Narang v/s Union Bank of India.

7. 2016 (4) ALD 119 (Andhra Pradesh HC) M.K Tirupathi Rao V/s Dy. G.M Syndicate Bank.

8. Civil Appeal arising out of SLP (C) 1885 of 2020 Vishva Bandhu/Shri Krishna & others.

14. I have given thoughtful consideration to the averments, evidence and arguments of parties in the light of the law propounded in cited judgements. The following points emerge for consideration:

Point No.(1):- Whether the respondent has not complied with the provisions of clause 33 of VIII B.P. settlement, therefore the claimant's absence from work cannot be treated as voluntary vacation from service?

...claimant

Point No.(2):- Whether this tribunal has no territorial jurisdiction to adjudicate the dispute referred to it by the Central Government?

..... respondent

Point No.(3):- Relief.

Point No. 1

15. First of all, it is to be seen whether respondent was expected to follow the procedure for initiating departmental enquiry against the applicant as argued on behalf of the applicant. In this context, the applicant has cited the judgement of Supreme Court rendered in Regional Manager, Central Bank of India v/s Vijay Krishna Neema & ors. In this judgement, Hon'ble Supreme court has said that as there was nothing to show that notice was sent to delinquent under registered cover with AD and officers of the bank were aware of his changed address, it cannot be presumed that notices sent to the delinquent were received by him. Absence without leave constitute grave misconduct hence, notice in that regard was required to be served on employee by registered AD. In the light of this verdict of Hon'ble Supreme Court, I have gone through Ex M 6/1, 6/3 and 6/4 legible copies of returned envelopes with remarks of postal employees, produced by the respondent. These exhibits fortify the contention of the respondent that the notices were sent to the applicant on his given address recorded in service record but he was not available on that address voluntarily. On Ex M 6/1, it has been reported by the postal employee in Hindi **"pane wala bina pate ke bahar gava hua hai, Ath R.L amanat mein rakhi gai suchna di gayee"**. Similarly on Ex 6/3 the postal employee has endorsed on A.D slip in Hindi that **"pane wala bahar rehta hai jiska pata nehi hone se vapas"**. Likewise on Ex 6/4 the similar report has been mentioned by the postal employee on registered cover of letter in Hindi **"Pane wala ghar par nahi raheta hai, gharwalon ko pata nahi hai. Atah R.L avdhi hone par wapap bheji gai"** The address mentioned on these envelopes is similar as given by the applicant in title of statement of claim. The claimant in his cross examination has admitted that all correspondences are made on the address given by him in his claim petition. His family members receive the letters addressed to him. It is also considerable fact that in his letter dated 16.6.2008 (Ex-C-1) the claimant had mentioned that "I know that the bank send the notice to me but I have no information that time about this notice and I cannot get the notice because I have not at the home at that time." In Union of India/ Dinanath Shanta Ram karekar & others, The Hon'ble Supreme Court has held that a document sent by registered post can be treated to have been served only when it is established that it was tendered to the addressee, when the registered cover was returned to the sender with the remark "not found" it cannot be legally treated to have been served. In the light of the fact admitted by the claimant in Ex-C-1 (letter dated 16.6.2008) and statement made during cross-examination it is proved that claimant was having sufficient knowledge of issuance of notices at his address, where he or his family members had been residing and there was no other address to which notices could have been sent to him. The vary purpose behind making provision of issuing notices to delinquent employee under clause-33 of VIII B.P. Settlement is mainly to provide an opportunity to explain the causes and circumstances for unauthorised absence from duty. But when the delinquent has admitted that employer Bank had sent notices to him at his address, which could not be received by him, as he was not available. It has also been established that the family members of delinquent were there to receive the notices, who were informed by the postal employees, thus it has become unnecessary to discuss whether respondent had produced postal receipts of registered letters as a proof of issue of notices and wrongfully marked notices as first, second and final notice to delinquent. Respondent has relied upon judgement of Hon'ble Supreme Court Vishva Bandhu/Shri Krishna & others to fortify its stand. In this judgement Hon'ble Supreme Court has propounded that when a notice is sent by registered post to the correct address of the addressee and is returned with a postal endorsement "refused" or "not available" in the house, or house is locked or addressee is not in station, due service has to be presumed. Another judgement relied by the respondent is M.K Tirupathi Rao V/s Dy. G.M Syndicate Bank. In this judgement Hon'ble Telengana- Andhra Pradesh High Court relying upon the ratio of judgement of Supreme Court passed in Vinod Shivappa V/s Nanda Beliappa 2006 (6) SCC 456, has held that when the employee managed to return the letter by postal authorities avoiding to take notice sent by the employer. Employee deliberately avoided service of notice to reap consequences that had flown from such notice. Notice sent by the employer was deemed to have been served on employee.

16. In the light of the above legal and factual Scenario the argument of claimant that the respondent had not sent any notice to claimant as mandated under clause 33 of VIII B.P. settlement and the respondent concocted the notices shown as sent to claimant, appears to be unacceptable and meritless. One more aspect is to be considered relevant regarding leave title of claimant at its credit and the period of leave allegedly applied to be extended. The Hon'ble Supreme Court in the judgement of Regional- Manager bank of Baroda v/s Anita Nandrajog has propounded that when the employee did not have any leave remaining to her credit and she had remained on unauthorised leave for a period of more than 150 days continuously, employee wrote a letter to employer that she will be joining duty after a period of nine months on account of domestic problems, then the employer (Bank) can validly order voluntary cessation of employment on the ground that employee had no intention of resuming duty within 30 days (notice period) and the order of termination passed by Bank was valid. Likewise Hon'ble Delhi High Court in the matter of Sh. Vijay kumar v/s Union Bank of India relying upon the ratio propounded by Hon'ble the Supreme Court in a catena of judgments has held that if a person is absent beyond the prescribed period of leave of any kind which can be granted to him, he should be treated to have resigned and cases to be in service. In such a case there is no need to hold an enquiry or to give any notice, as it would amount to useless formalities. The respondent's witness Sh. Surya Prakash Rao has stated that there was no leave balance available in claimant's account for sanction of leave. Claimant has sent a letter dated 20.12.2007 seeking leave for uncertain period on the ground of family problems. In the letter Ex C-1 the claimant on 16.06.08 has prayed to extend his leave for two-three months i.e upto September 2008. This clearly shows that the claimant had no intention to resume his duty till Sept. 2008, though he was not having any leave title to his credit. In the light of ratio of the above judgements it can easily be presumed that the claimant had no intention to resume duty and voluntarily vacated the employment/service of respondent. The respondent bank had issued notices from time to time under clause 33 of VIII B.P. Settlement directing the employee to report on duty within 30 days from the date of notice. But it appears that applicant deliberately evaded the service of notice. Therefore, it cannot be held that respondent has not complied with the provision of clause 33 of VIII of B.P. Settlement and did not provide any opportunity to defend to claimant.

17. In this factual scenario, the verdict of Hon'ble Supreme Court in the judgments cited by the claimant does not support the contention of applicant regarding non-service of notices sent by the respondent. It appears that notices were sent by regd. AD post from time to time to applicant and the applicant was not available on the address given by himself however, his family members present at the address were informed by postal officials, who in turn informed the claimant about these notices sent by respondent Bank.

18. The above discussion clearly shows that the respondent has followed the procedure as provided under clause 33 of VIII B.P. Settlement which is the self-contained discipline code and laid down procedure for treating unauthorised absence as voluntary vacation. When the notices in compliance of procedure laid down under clause 33 above through regd. Post acknowledgement due, at the last recorded address were issued by the employer and this fact was well within the knowledge of claimant and his family members, the same should be deemed to be good & proper service of the notices. As the applicant absented from duty for more than 90 days without having sufficient leave title to his credit, the act of claimant can well be treated as voluntary vacation of service and the action taken by the respondent against the applicant is not only just but lawful & proper as well. Therefore, this point is decided against the claimant.

Point No.2

19. The respondent has contended that claimant was working at Adilabad and his services were terminated by the Bank at Hyderabad, therefore, jurisdiction to adjudicate the dispute is only at Labour Court, Hyderabad, and this tribunal has no territorial jurisdiction to adjudicate this dispute. Respondent has relied upon the following judgements of Hon'ble Supreme Court, Andhra Pradesh and Rajasthan High Courts.

20. The Hon'ble Supreme Court in its judgement Nand Ram V/s Garware Polyester Ltd, has said that territorial jurisdiction exists where the part of cause of action arises and office of employer situates, both have concurrent jurisdiction. Hon'ble Andhra Pradesh High Court in its judgement S.Padmanabhan & others. v/s Industrial Tribunal & others, has propounded that situs of employment of workman would be relevant factor for determining jurisdiction of court concerned. Provisions of section 20 of Civil Procedure Code would be taken as guiding factor.

21. Per contra, learned representative for claimant would argue that plea of respondent regarding lack of jurisdiction of this tribunal is not substantial and acceptable. The respondent had neither objected regarding jurisdiction of tribunal in its written statement nor it has challenged this issue before the Hon'ble High Court of Rajasthan. Respondent cannot challenge the reference of dispute before this tribunal, it can only be challenged before the High Court. This reference has been made by the appropriate government on the directions given by the High Court. Claimant has relied upon a judgement of Hon'ble Rajasthan High court, State of Rajasthan V/s Harish Chandra Sharma. The Hon'ble High Court has directed in this judgement that jurisdiction of Industrial

Tribunal is limited to the terms of reference. Challenge to reference cannot be made before the tribunal, it could only be challenged before the High Court. He has also cited the judgement of Hon'ble Supreme Court, Bikash Bhooshan Ghosh & others v/s Novarties India Ltd. & others., in which it has been held that where termination order was served, communication of termination order may itself give rise to cause of action. In Neslin Joseph Prim v/s P.O., CGIT Cum L.C Chennai, the Hon'ble High Court of Madras has propounded that territorial jurisdiction of Industrial Tribunal depends on cause of action, residence of workman or place of work where cause of action wholly or in part arises.

22. In the light of above judicial precedents, it is crystal clear that the territorial jurisdiction of an Industrial Tribunal or Court lies where the cause of action wholly or in part arises. More so, the appropriate government has referred this dispute for adjudication to this tribunal, this tribunal is the creation of a statute and it gets jurisdiction on the basis of reference. It cannot go into the question of validity of reference. As regards challenge to the reference is concerned, the same can only be challenged before the Hon'ble High Court at initial stage. The respondent had not even made any specific plea regarding lack of territorial jurisdiction of this tribunal in its written statement and only raised this issue during arguments. More so, the place of communication of order of termination is also relevant in this regard, which is in District Alwar (Rajasthan). Therefore, the argument of respondent regarding lack of jurisdiction to this tribunal is devoid of merit and unacceptable. Thus, this point is decided against the respondent.

Point No. 3 (Relief)

23. Keeping in view the decision rendered on point No. 1 and 2 above, the claimant does not appear entitled for any relief against the respondent Bank as he himself voluntarily vacated the services of respondent Bank from 7.9.2007. The reference is adjudicated as above.

24. Let a copy of the award be sent to Central Government for publication u/s 17(1) of the I.D.Act.

RADHA MOHAN CHATURVEDI, Presiding Officer

नई दिल्ली, 2 मई, 2023

का. आ. 713.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार उत्तर पूर्व रेलवे के प्रबंधतंत्र, संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, लखनऊ के पंचाट (05/2016) प्रकाशित करती है।

[सं. एल- 41011/71/2015 -आई आर (बी-1)]

सलोनी, उप निदेशक

New Delhi, the 2nd May, 2023

S.O. 713.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref.05/2016) of the Cent.Govt.Indus.Tribunal-cum-Labour Court Lucknow as shown in the Annexure, in the industrial dispute between the management of North Eastern Railway and their workmen.

[No. L-41011/71/2015 -IR(B-I)]

SALONI, Dy. Director

ANNEXURE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL –CUM- LABOUR COURT LUCKNOW

Present: Justice ANIL KUMAR, Presiding Officer

I.D. No. 05/2016

Ref. No. L-41011/71/2015-IR(B-I) dated 04.01.2016

BETWEEN:

Zonal Organizing Secretary, Rail Sevak Sangh
C/o Shri D.P. Awasthi, 49 Tilak Nagar, Lucknow

Vs

1. Divisional Railway Manager, North Eastern Railway
Ashok Marg, Lucknow
2. Senior Divisional Electrical Engineer(S.M.D.), North Eastern Railway
DRM office, Ashok Marg, Lucknow.

AWARD

By order No. L-41011/71/2015-IR(B-I) dated 04.01.2016, the Central Government in the Ministry of Labour, New Delhi in exercise of powers conferred by clause (d) of sub section (1) and sub section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred this industrial dispute for adjudication with following schedule:

“क्या पूर्वोत्तर रेल प्रशासन, लखनऊ द्वारा श्री राकेश कुमार, जूनियर क्लर्क को नियुक्ति तिथि 08-10-1997 के 2 वर्ष पश्चात टाइप टेस्ट के 03 अवसर न देकर सेवा में नियमित न करने, एमएसीपी का लाभ तथा उससे जूनियर्स को दी गयी पदोन्नति तिथि से उसे पदोन्नति न किया जाना न्यायोचित एवं वैध है? यदि नहीं तो कामगार किस राहत को पाने का हकदार है?”

From the argument raised by Sri Narendra Nath, learned counsel for the respondent, the position which emerges out is that after death of Shohrat Ali who was working as Tack Man at Biswa with the respondent an application has been submitted by the workman for compensate appointment. As per the case of respondent along with his application he submitted a marksheet of class fifth for the year 2002-2003, issued by the Pradhanacharya, Harriaya, Distt. Balrampur in which the date of birth of the claimant was mentioned as 01.07.1992.

Another document which is annexed is mark sheet of Junior High School 2007, in which date of birth of the claimant was mentioned as 09.11.1986, issued by the Purv Madhyamik Vidhayalay, Harriaya, Chandausi.

In view of the above said facts and taking into the consideration the service record of late Sri Shaukat Ali in which he has mentioned that the mother of the claimant had died on 09.11.1986 and in the service record of late Sri Shaukat Ali has been mentioned name of his son as Virendra, so, taking into consideration a notice dated 30.01.2019, issued which reads as under:

पूर्वोत्तर रेलवे

कार्यालय

मण्डल रेल प्रबन्धक (का०)

लखनऊ।

दिनांक 30.01.2019

सेवा में,

श्री ज्ञानेन्द्र बहादुर

पुत्र स्व० सोहरत ग्राम मझौली पो० गैसडी जिला बलरामपुर।

विषय: घोषणात्मक प्रमाण-पत्र प्रस्तुत करने के सम्बन्ध में।

आपके द्वारा इस मण्डल कार्यालय में समापक भुगतान हेतु आवेदन किया गया था। इसके सन्दर्भ में आपको सूचित किया जाता है कि आप सक्षम न्यायालय में घोषणात्मक वाद दाखिल कर घोषणात्मक डिग्री प्राप्त कर इस कार्यालय में उपलब्ध करायें जिससे आपके मामले में उचित प्रशासनिक निर्णय लिया जा सके। इस पर सक्षम अधिकारी का आदेश प्राप्त है।

ह० (अपठित)

कृते मण्डल रेल प्रबंधक (कार्मिक)

पूर्वोत्तर रेलवे, लखनऊ । “

However, no reply has been submitted by the claimant.

Thus, taking into consideration, the above said facts as well as the fact that no oral/documentary evidence have been filed on behalf of the claimant to support his claim, as such, the adjudication case is liable to be dismissed.

Because, the Hon'ble High Court in the case of **V. K. Raj Industries v. Labour Court (I) and others 1981 (29) FLR 194** as under:

“It is well settled that if a party challenges the legality of an order, the burden lies upon him to prove illegality of the order and if no evidence is produced the party invoking jurisdiction of the Court must fail. Whenever a workman raises a dispute challenging the validity of the termination of service if is imperative for him to file written statement before the Industrial Court setting out grounds on which the order is challenged and he must also produce evidence to prove his case. If the workman fails to appear or to file written statement or produce evidence, the dispute referred by the State Government cannot be answered in favour of the workman and he would not be entitled to any relief.”

In the case of **M/s Uptron Powertronics Employees' Union, iabad through its Secretary v. Presiding Officer, Labour Court (II), Ghaziabad and others 2008 (118) FLR 1164** Hon'ble Allahabad High Court has held as under:

“The law has been settled by the Apex Court in case of Shanker Chakravarti v. Britannia Biscuit Co. Ltd., V.K. Raj Industries v. Labour Court and Ors., Airtech Private Limited v. State of U.P. and Ors. 1984 (49) FLR 38 and Meritech India Ltd. v. State of U.P. and Ors. 1996 FLR that in the absence of any evidence led by or on behalf of the workman the reference is bound to be answered by the court against the workman. In such a situation it is not necessary for the employers to lead any evidence at all. The obligation to lead evidence to establish an allegation made by a party is on the party making the allegation. The test would be, who would fail if no evidence is led.”

Hon'ble Allahabad High Court in the case of **District Administrative Committee, U.P. P.A.C.C.S.C. Services v. Secretary-cum-G.M. District Co-operative Bank Ltd. 2010 (126) FLR 519** has held as under:

“The submission is that even if the petitioner failed to lead the evidence, burden was on the shoulders of the respondent to prove the termination order as illegal. He was required to lead evidence first which he failed. A perusal of the impugned award also does not show that any evidence either oral or documentary was led by the respondent. In the case of no evidence, the reference has to be dismissed.”

For the foregoing reasons, the case is dismissed and; and the workman is not entitled for any relief.

Justice ANIL KUMAR, Presiding Officer

नई दिल्ली, 2 मई, 2023

का. आ. 714.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बैंक ऑफ़ बड़ोदा के प्रबंधतंत्र, संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय चेन्नई के पंचाट (54/2017) प्रकाशित करती है।

[सं. एल- 12011/16/2017 -आई आर (बी-II)]

सलोनी, उप निदेशक

New Delhi, the 2nd May, 2023

S.O. 714.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 54/2017) of the Cent.Govt.Indus.Tribunal-cum-Labour Court Chennai as shown in the Annexure, in the industrial dispute between the management of Bank of Baroda and their workmen.

[No. L- 12011/16/2017-IR(B-II)]

SALONI, Dy. Director

ANNEXURE**BEFORE THE CGIT-CUM-LABOUR COURT & EPF APPELLATE TRIBUNAL CHENNAI****ID. 54/2017****Present:** DIPTI MOHAPATRA, LL.M. Presiding Officer**Date:** 24.02.2023

The General Secretary
Dena Bank Employees Union
Nareshpal Centre, No. 27 VV Koil Street
Vellala Teynampet
Chennai-600086

....First Party Petitioner

AND

1. The Chairman & Managing Director
Bank of Baroda Corporate Office
C-10, G-Block, Bandra Kurla Complex
Bandra (East)

Mumbai-400051

....First Respondent

2. The Regional Manager
Bank of Baroda, Chennai Zonal Office
BKR Convention Centre, 3rd Floor
No. 32, Venkatesan Street
T. Nagar

Chennai-600017

....Second Respondent

Appearance:

For the 1st Party/Petitioner : Advocate, M/s Karl Marx
For the First & Second Respondent : Advocate, Sri C. Paranthaman

AWARD

The Central Government, Ministry of Labour & Employment vide its Order No. L-12011/16/2017–(IR(B.II) dtd. 26.05.2017 referred the following Industrial Dispute to this Tribunal for adjudication.

The schedule mentioned in that order is:

“Whether the action of the Zonal Management of Dena Bank, Chennai in outsourcing the job of filling Cash in ATMs, the job of Cash Van Driver and Business Correspondents in alleged violation of Industrial Level Bipartite Settlement is justified or not? If not, what is the relief?”

2. On receipt of the above reference from the appropriate Government, the dispute on reference is registered as ID No. 54/2017 and due notices were issued to both sides for their appearance and Claim Statement on 03.07.2017. The General Secretary of First Party Petitioner’s Union (hereinafter be referred as “The Petitioner”) did not turn up. The case was listed to 01.08.2017 and subsequent dates till 10.10.2018 intervening several dates, as post of Presiding Officer was vacant. Meantime when the post of Presiding Officer was filled-up, the case was again listed and re-listed to two more dates i.e. 24.12.2018 and 04.03.2019. The Petitioner did not turn up. The case was adjourned to 25.03.2019 directing the Petitioner to file Claim Statement as last chance. On 25.03.2019, the Petitioner filed the Claim Statement. The Respondent was directed to file Counter Statement fixing the case to 13.05.2019, 02.07.2019 and 13.08.2019. The Respondent Counsel filed a Memo for change of Cause Title on the ground that the Respondent’s Bank, Dena Bank merged with Bank of Baroda and the relevant notification was filed. The amendment was accordingly carried out and the Counter Statement was filed by the Respondent on 17.03.2020. The Petitioner was directed to file Affidavit-Evidence. Due to outbreak of Pandemic COVID-19 there was no progress in the case as simply the case was listed and re-listed to several dates in the whole of the year 2020 and till 16.08.2021. After relaxation of lockdown, the Tribunal took up case directing the Petitioner to file the Affidavit-Evidence. The Petitioner did not turn up

resulting further adjournments till 02.12.2021 intervening 4 dates. However, the Petitioner was again directed to file Affidavit-Evidence vide Order dtd. 17.01.2022 and the case was fixed to 17.02.2022, 29.03.2022, 18.05.2022 and 13.07.2022. On 13.07.2022, the Petitioner did not turn up whereas the Counsel for the Respondent was present and raised objection not to re-schedule the case to any other date. Even then for the interest of justice, the Petitioner was once again afforded with another adjournment as last chance fixing the case to 01.09.2022. The Petitioner did not turn up whereas the Respondent Counsel filed Affidavit-Evidence with a prayer to set the Petitioner Ex-Parte and to accept Affidavit-Evidence of MW1. In the circumstance, without resorting to coercive step against the Petitioner the Tribunal suo-moto adjourned the case to 12.09.2022 directing the Petitioner to file Affidavit-Evidence and to get ready for examination of his Witness. On that day, the Respondent Counsel filed the Affidavit-Evidence of its Witness whereas the Petitioner failed to file any Affidavit-Evidence of his own or any Witness on his behalf. Not a single Petition was filed either seeking time or for any purpose through the Petitioner, the General Secretary of its Authorized Representative or Counsel. However, for the interest of justice the case was again re-listed to 20.10.2022 for the same purpose. None on behalf of the First Party Petitioner was present nor any Time Petition was filed.

3. In the fact and circumstance, it is felt that the General Secretary, the First Party Petitioner Union is not interested to proceed with the case. It reveals that despite of several adjournments, due to non-participation of the Petitioner in the proceeding there was no progress in the case, the case is simply dragged for more than five years. The Counsel for the Respondent on the other hand humbly submits not to repost the case to any other date but to dispose the same in accordance to Law.

4. In such circumstance, the Tribunal is not in a position to adjudicate the dispute as referred by the Appropriate Government vide dtd. 26.05.2017. The case is liable for dismissal due to non-cooperation and default in appearance of the First Party Petitioner Union. In the circumstance, it is held proper to dispose of the case without wasting the valuable time of the Tribunal.

In view of the discussion held in preceding paragraph, it deems there exists no dispute for adjudication as referred by the Appropriate Government.

In the result the ID case stands dismissed.

An Award is passed accordingly.

DIPTI MOHAPATRA, Presiding Officer

नई दिल्ली, 2 मई, 2023

का. आ. 715.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार तमिलनाडु ग्राम बैंक के प्रबंधतंत्र, संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय चेन्नई के पंचाट (16/2021) प्रकाशित करती है।

[सं. एल-12025/01/2023-आई आर (बी-1)-54]
सलोनी, उप निदेशक

New Delhi, the 2nd May, 2023

S.O. 715.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref.16/2021) of the Cent.Govt.Indus.Tribunal-cum-Labour Court Chennai as shown in the Annexure, in the industrial dispute between the management of Tamil Nadu Grama Bank and their workmen.

[No. L- 12025/01/2023-IR(B-I)-54]
SALONI, Dy. Director

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT

CHENNAI

ID No. 16/2021

Present: DIPTI MOHAPATRA, LL.M. Presiding Officer

Date: 29.07.2022

Sri S. Vimalraj
C/o The General Secretary
Tamil Nadu Grama Bank Workers Union
Office of the Tamilnadu Grama Bank
Minnampalli-636106

...1st Party/Petitioner

AND

The Chairman
Tamil Nadu Grama Bank Head Office
Yercaud Road
Salem-7

...2nd Party/Respondent

Appearance:

For the 1 st Party/Petitioner	:	None
For the 2 nd Party/Respondents	:	Advocate, M/s Aiyar & Dolia

AWARD

The Central Government, Ministry of Labour & Employment vide its Order No. 7/1/2021-A1 dtd. 30.04.2020 referred the following Industrial Dispute to this Tribunal for adjudication.

The schedule mentioned in that order is:

“Whether the demand of Sri S. Vimalraj for reinstatement alongwith all benefits against the management of Tamil Nadu Grama Bank is legal and justified? If not, to what relief the workman is entitled to?”

2. On receipt of the above reference from the appropriate Government, the dispute on reference is registered in ID No. 16/2021 and notices were issued to both the parties for their appearance fixing the case to 16.08.2021. Since then, the case is dragged for such a long period till 26.07.2022 intervening almost 4 adjournments in the year 2021 viz. 30.08.2021, 01.10.2021, 15.11.2021 and 17.12.2021 and 4 adjournments in the year 2022 i.e. 21.01.2022, 17.03.2022, 05.05.2022 and 26.07.2022. The Petitioner nor the Authorized Representative appeared on any of those days. It appears even if for the interest of justice the Tribunal suo-moto afforded sufficient opportunities to the Petitioner, there was no progress in the proceeding due to the non-cooperation of the Petitioner. The non-appearance and non-participation in the proceeding by the Petitioner nor any Authorized Representative on her behalf, constrained the Tribunal not to repost the proceeding to any other date for the same purpose as much as it deems the petitioner has no interest to proceed with the case. Thus, the case is liable for dismissal in accordance to Law.

In view of the discussion held in preceding paragraph, it deems there exists no dispute for adjudication as referred by the Appropriate Government.

In the result the reference is answered against the Petitioners.

An Award is passed accordingly.

DIPTI MOHAPATRA, Presiding Officer

नई दिल्ली, 2 मई, 2023

का. आ. 716.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार केनरा बैंक के प्रबंधतंत्र, संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय चेन्नई के पंचाट (23/2020) प्रकाशित करती है।

[सं. एल- 12011/12/2020 -आई आर (बी-II)]

सलोनी, उप निदेशक

New Delhi, the 2nd May, 2023

S.O. 716.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref.23/2020) of the Cent.Govt.Indus.Tribunal-cum-Labour Court Chennai as shown in the Annexure, in the industrial dispute between the management of Canara Bank and their workmen.

[No. L-12011/12/2020 -IR(B-II)]

SALONI, Dy. Director

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
CHENNAI**

ID No. 23/2020

Present: DIPTI MOHAPATRA, LL.M., Presiding Officer

Date: 04.08.2022

Sri Kandasamy & Others
Rep. by the General Secretary
Canara Bank Employees Union
A.K. Nayak Bhawan
2nd Floor, Second Line Beach
Chennai-600001

....1st Party/Petitioner Union

AND

The General Manager
Canara Bank Circle Office
St. Mary's Compound
East Veli Street
Madurai-625001

....2nd Party/Respondent

Appearance:

For the 1st Party/Petitioner Union : Advocates, M/s S. Mohan & Associates

For the 2nd Party/Respondents : Advocates, M/s T.S. Gopalan & Co.

AWARD

The Central Government, Ministry of Labour & Employment vide its Order No. L-12011/12/2020-IR (B.II) dtd. 10.06.2020 referred the following Industrial Dispute to this Tribunal for adjudication.

The schedule mentioned in that order is:

“Whether the demand of of the Canara Bank Employees’ Union for re-designation of S/Sri S. Kandasamy, D. Murugesan and M. Esakkiappan, Part-Time Employees absorbed as Housekeeper-cum-Peon in the Canara Bank from 10.01.2012 as Sub-Staff with retrospective effect from 2001, is legal and justified? If so, to what relief the workmen are entitled to?”

2. On receipt of the above reference from the appropriate Government, the dispute on reference is registered in ID No. 23/2020 and notices were issued to both the parties for their appearance fixing the case to 19.11.2020. On that day, Vakalat was filed by the Petitioner Union and the Respondent. Owing to ensuing Pandemic COVID-19 and resultant lockdown, the case was adjourned to 7 more dates in the year 2021 i.e. 04.03.2021, 29.03.2021, 03.05.2021, 14.07.2021, 28.09.2021, 05.11.2021 and 16.12.2021 for the same purpose. Neither of the parties appeared on the above dates. The ID case was further liberally afforded with more adjournments in the year 2022 i.e. 20.01.2022, 02.03.2022, and 13.04.2022. The Petitioner Union nor the Authorized Representative turned up. The ID case was adjourned to 01.06.2022. On that day, the Counsel for the Respondent is present whereas none on behalf of First Party Union appeared. However, in the interest of justice, the ID case is again adjourned to 28.07.2022. On that day neither the General Secretary of the First Party Union nor any Authorized Representative appeared to represent their case resulting to reserve the ID case for final orders.

3. It deems the petitioner has no interest to proceed with the case. Thus, the case is liable for dismissal in accordance to Law.

In view of the discussion held in preceding paragraph, it deems there exists no dispute for adjudication as referred by the Appropriate Government.

In the result the reference is answered against the Petitioners.

The ID Case stands dismissed.

An Award is passed accordingly.

DIPTI MOHAPATRA, Presiding Officer

नई दिल्ली, 3 मई, 2023

का. आ. 717.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधतंत्र, संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, हैदराबाद के पंचाट (23/2014) प्रकाशित करती है।

[सं. एल- 12012/109/2013 -आई आर (बी-1)]

सलोनी, उप निदेशक

New Delhi, the 3rd May, 2023

S.O. 717.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref.23/2014) of the Cent.Govt.Indus.Tribunal-cum-Labour Court Hyderabad as shown in the Annexure, in the industrial dispute between the management of State Bank of India and their workmen.

[No. L- 12012/109/2013-IR(B-I)]

SALONI, Dy. Director

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM -LABOUR COURT AT HYDERABAD

Present: - Sri IRFAN QAMAR, Presiding Officer

Dated the 26th day of December, 2022

INDUSTRIAL DISPUTE No. 23/2014

BETWEEN:

Sri G. Balaiah,
S/o Late Bhoodaiah,
R/o Hanuman Gali, Narsinghi Village,
Chegunta(M), Medak District. Medak.

....Petitioner

AND

1. The Regional Manager,
State Bank of India, Regional Business
Officer, 5-26/2, Hemadurga Sarada Galaxy,
1st Floor, BHEL 'X' Roads,
Ramachandrapuram, Hyderabad.
2. The Branch Manager,
State Bank of India, Chegunta Branch,
Medak District, Medak – 502255.

....Respondents

Appearances:

For the Petitioner : Party in Person

For the Respondent: M/s. B.G. Ravindra Reddy & Y. Ranjeeth Reddy, Advocates

AWARD

The Government of India, Ministry of Labour by its order No.L-12012/ 109/2013-IR(B.I) dated 12.2.2014 referred the following dispute under section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of State Bank of India and their workman. The reference is,

SCHEDULE

“Whether the action of the management of State Bank of India, Cheguta Branch of Nalgonda Distt, Andhra Pradesh in terminating the services of Sri G. Balaiah, Sweeper is fair, proper and justified? To what relief the workman is entitled?”

The reference is numbered in this Tribunal as I.D. No. 23/2014 and notices were issued to the parties concerned and the Petitioner entered appearance. Petitioner filed claim statement and Respondent filed counter statement.

2. Both parties are absent on the date of hearing. Docket reveals that the case is fixed for Petitioner's evidence since 31.3.2017 and number of opportunities were provided to petitioner for adducing the evidence. The case was fixed for petitioner's evidence on 15.5.2017, 4.8.2017, 12.10.2017, 3.1.2018, 21.3.2018, 11.7.2018, 5.11.2018, 21.12.2018, 6.3.2019, 11.6.2019, 20.8.2019, 11.12.2019, 7.2.2020 and so on. Petitioner did not appear in the case nor adduced any evidence, although sufficient number of opportunities have been provided to him.

3. It thus becomes crystal clear that the petitioner seems to be not interested in pursuing his case and as such a no claim award is given against the workman/petitioner. As such, a 'No Claim' award is passed.

Award is passed accordingly. Transmit.

Typed to my dictation by Smt. P. Phani Gowri, Personal Assistant, corrected by me on this the 26th day of December, 2022.

IRFAN QAMAR Presiding Officer

Witnesses examined for the	Appendix of evidence
Petitioner	Witnesses examined for the
NIL	Respondent
	NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 3 मई, 2023

का.आ. 718.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मोरमुगाओ पोर्ट ट्रस्ट के प्रबंधन, संबद्ध नियोजको और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं 2 मुम्बई के पंचाट (5/2011) प्रकाशित करती है।

[सं. एल- 36011/4/2010-आई आर (बी-II)]

सलोनी, उप निदेशक

New Delhi, the 3rd May, 2023

S.O. 718.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 5/2011) of the Cent.Govt.Indus.Tribunal-cum-Labour Court No.2 Mumbai as shown in the Annexure, in the industrial dispute between the management of Mormugao Port Trust and their workmen.

[No. L- 36011/4/2010-IR(B-II)]

SALONI, Dy. Director

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO.2, MUMBAI

Present: LAXMI NARAIN JINDAL, Presiding Officer

REFERENCE NO.CGIT-2/5 of 2011

EMPLOYERS IN RELATION TO THE MANAGEMENT OF

MORMUGAO PORT TRUST

(Now: MORMUGAO PORT AUTHORITY)

The Chairman
Mormugao Port Trust
Mormugao Harbour
Goa 403 803.

AND

THEIR WORKMEN.

The President
Mormugao Port & Railway Workers Union
Main Administrative Office Building
Mormugao Port Trust
Headland Sada, Goa 403 804.

APPEARANCES:

FOR THE EMPLOYER : Mr. G.M. Rege, Advocate i/b
M/s. Kini & Co.

FOR THE WORKMAN : Mr. Ulhas Thanekar,
Representative of Union

Camp: Goa Dated the 8th February, 2023.

AWARD

1. This reference has been made by the Central Government in exercise of its powers under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, vide Government of India, Ministry of Labour & Employment, New Delhi, order No. L-36011/4/2010 – IR (B-II) dated 25.02.2011. The terms of reference given in the schedule are as follows :

“Whether the action of the management of Mormugao Port Trust in denying promotion as Dy. Marine Surveyor to Shri T.S. Rajput, Asstt. Marine Surveyor, is legal and justified? What relief the workman is entitled for ?”

2. After receipt of the reference, both the parties were served with the notices and they appeared and filed their respective pleadings. Both parties led their evidence and filed their respective written arguments. Matter was fixed for oral arguments.

3. Shri Ulhas Thanekar, President of the Mormugao Port & Railway Workers Union is present today and he has made the following statement.

“It is stated that I am not interested in pursuing this matter as the same stands settled mutually. Therefore ‘no dispute’ award may be passed”.

4. In view of the above, ‘no dispute’ award is passed in the present reference.

LAXMI NARAIN JINDAL, Presiding Officer